



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1329 Fax: (207) 439-6806

March 14, 2016

Council Chambers

Kittery Town Council
Regular Meeting
7:00 p.m.

1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Roll Call
5. Agenda Amendment and Adoption
6. Town Manager's Report
7. Acceptance of Previous Minutes – 2/17/16, 2/22/16 Regular and 2/29/16 Special Meetings
8. Interviews for the Board of Appeals and Planning
9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials.
 - a. (030216-1) The Kittery Town Council moves to receive a presentation of the FY'15 Audit from Michael Campo from Plodzik & Sanderson.
 - b. (030216-2) The Kittery Town Council moves to appoint Carol Granfield as Town Manager, Tax Collector, Treasurer and Welfare Director effective March 18, 2016 through June 30, 2016.
10. PUBLIC HEARINGS
 - (030216-3) The Kittery Town Council moves to hold a public hearing on a three-year extension of Municipal Resources, Inc. (MRI) assessing services contract, through fiscal year 2019.
11. DISCUSSION
 - a. Discussion by members of the public (three minutes per person)
 - b. Response to public comment directed to a particular Councilor
 - c. Chairperson's response to public comments
12. UNFINISHED BUSINESS
13. NEW BUSINESS
 - a. Donations/gifts received for Council disposition

(030216-4) The Kittery Town Council move to accept donations in the amount of \$40 from Kenneth Myron Bonnell to be deposited in account #5007 Thresher Memorial Fund.

- b. (030116-5) The Kittery Town Council moves to approve the disbursement warrants.
- c. (030216-6) The Kittery Town Council moves to accept the FY'15 Audit as presented.
- d. (030216-7) The Kittery Town Council moves to approve funds to be spent from the Connie Samuels Beautification Fund to purchase plants to be planted at Howell's Park, Traip Academy, Town Hall, the Naval Museum and Inspiration Park by the Garden Club
- e. (030216-8) The Kittery Town Council moves to approve a renewal application from The Dance Hall, 7 Walker Street, Kittery, ME for a Malt and Vinous Liquor License for The Dance Hall, 7 Walker Street.
- f. (030216-9) The Kittery Town Council moves to approve a renewal application from Robert's Maine Grill LLC, 326 Route 1, Kittery, ME for a Malt, Spirituous and Vinous Liquor License for Robert's Maine Grill, 326 Route 1.
- g. (030216-10) The Kittery Town Council moves to approve a renewal application from JKrestaurants LLC, 5 Melanies Ct., Kittery, ME for a Malt, Spirituous and Vinous Liquor License for Rudders Public House, 70 Wallingford Square.
- h. (030216-11) The Kittery Town Council moves to approve a renewal application from BNKittery LLC, 74 State Road, Suite 205, Kittery, ME for a Malt, Spirituous and Vinous Liquor License for The Farm Bar & Grille, 57 State Road.
- i. (030216-12) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Conservation Commission to interview Nanci Lovett for her appointment to that board until 12/31/19.
- j. (030216-13) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Rice Public Library Board of Trustees to interview Doug Green for his appointment to that board.
- k. (030216-14) The Kittery Town Council moves to appoint Brett F. Costa to the Comprehensive Plan Update Committee until as a citizen representative until the committee work is completed.
- l. (030216-15) The Kittery Town Council moves to accept the resignation of John Carlson from the Economic Development Committee.
- m. (030216-16) The Kittery Town Council moves to accept the resignation of Patrick Trevino from the Economic Development Committee.
- n. (030216-17) The Kittery Town Council moves to appoint Paul Lucy to the Economic Development Committee as a Citizen Representative until 12/31/16.
- o. (030216-18) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Parks Commission to interview David Wrocklage for his appointment to that board until 12/31/19
- p. (030216-19) The Kittery Town Council moves to approve a Pole Location Permit application from Central Maine Power Company and Northern New England Telephone Operations LLC NH, to install a new pole starting at 48 Brave Boat Harbor Road/Tenney Hill Road in a northerly direction 100 feet.

14. COUNCILOR ISSUES OR COMMENTS
15. COMMITTEE AND OTHER REPORTS
 - a. Communications from the Chairperson
 - b. Committee Reports
16. EXECUTIVE SESSION
17. ADJOURNMENT

Posted: March 10, 2016



TOWN OF KITTERY

Office of the Town Manager

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1329 Fax: 207-439-6806

ncolbertpuff@kitteryme.org

Nancy Colbert Puff
Town Manager

Town Manager's Report to the Town Council March 14, 2016

1. **Channel 22 Future Planning** – I have been working to outline a future for Kittery's expanded cable broadcasting capabilities pursuant to the Town's cable contract with Comcast. Channel 22 is now a fully operational Government Access channel, featuring live broadcasts of most of the Town's major board meetings, with regular repetition throughout the week. This year, we branched out to introduce limited programming that varied from governmental meetings – the Thresher Memorial video, coverage of the J-1 Visa workshop, the Athletic Field Master Plan meetings, Traip basketball games, and school concerts were added to the channel and gained a favorable public response.

As demand increases to cover additional programming that falls beyond what a "government" channel might be expected to cover, creation of a studio to house a "public access" operation is a natural next step. Our contract with Comcast calls for an additional channel to be made available to the Town when our first channel (22) has reached a certain level of programming. I've had initial discussions with Janice Grady and the KCC Board of Directors about using space in the KCC Annex to locate this new station, and have developed a cost estimate to lay out and equip a space for a public access channel (Attached - note: limited construction costs are not yet included). This then would enable the creation of a public access channel committee, who could begin to develop programming for the Kittery community, and may lead to the formation of a non-profit public access corporation to oversee public and educational programming. As the Annex is under construction this summer, it may be a good time to consider constructing this station. I'll brief the interim Town Manager on the status of this effort.

2. **Thank You** – I would like to thank this Council, former Councilors Dow, Guy, Brake and Pelletier, the staff, volunteer board members, and the community for helping me to serve the Town as Town Manager. I am grateful for having had the opportunity to serve here, and wish you all the best as you continue to work together in Kittery's best interests. Please do not hesitate to contact me if you have any questions that I may be able to assist with into the future.

Respectfully Submitted,

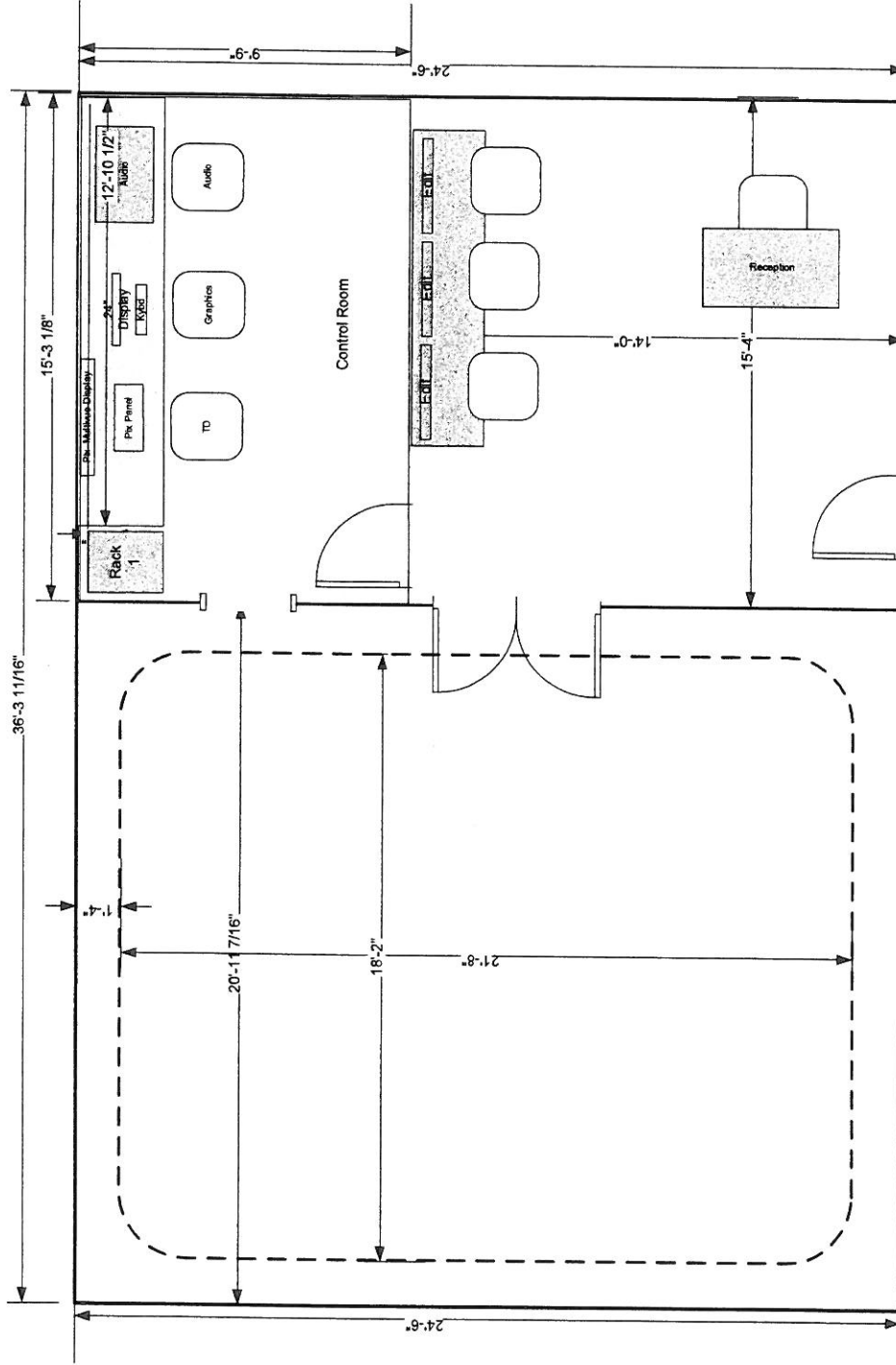
Nancy Colbert Puff

3/7/46 DRD

603-682-3793

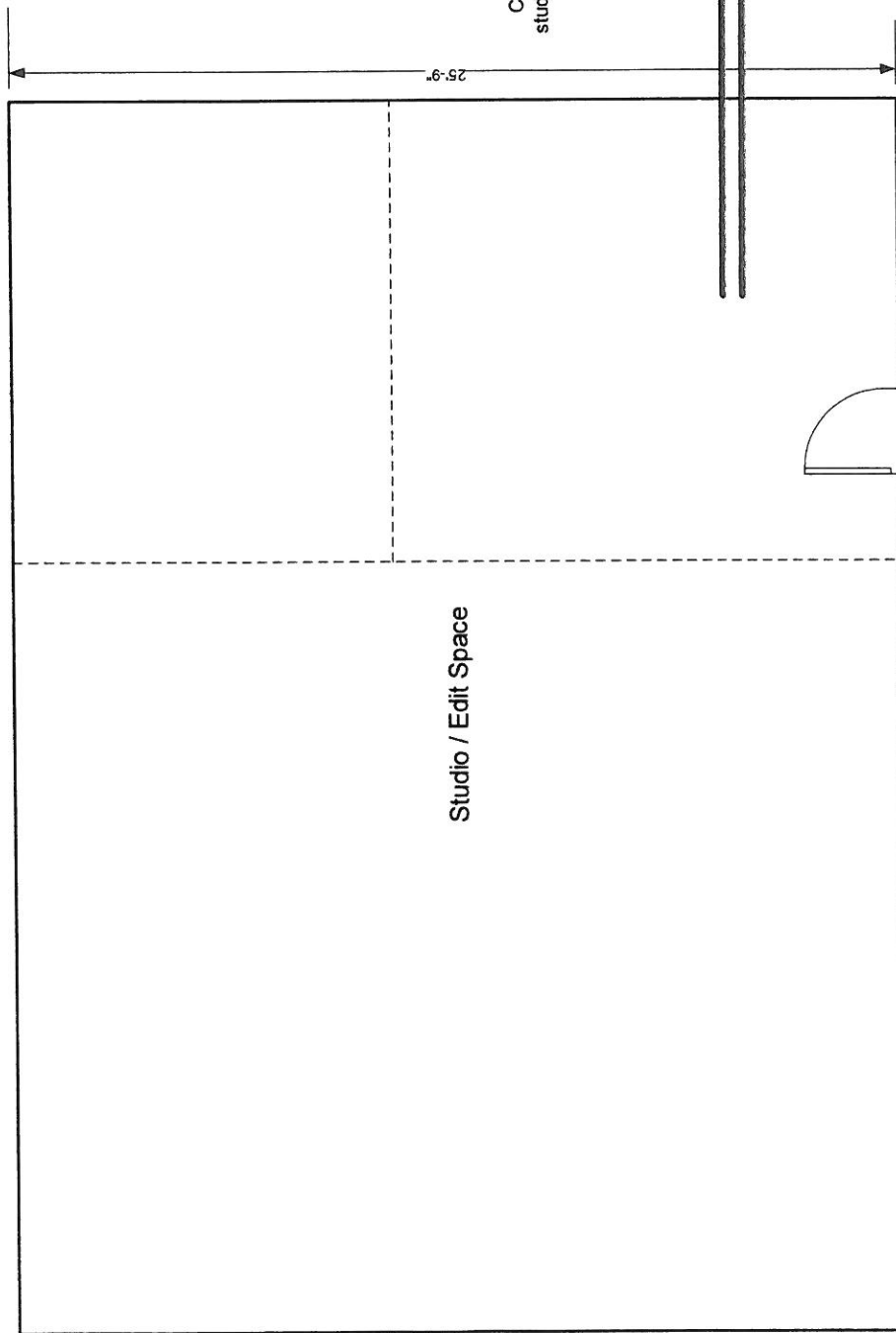
[illegible]

Kittery ME Access Center Floor Plan Studio / Edit Space



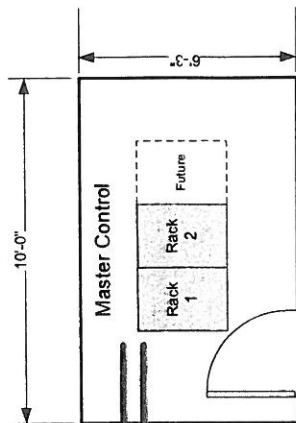
Dutra Video Systems 603-682-3793	Kittery Access Center
Drawing By Dennis Dutra	Studio / Edit space
	Date 3/6/16

Kittery ME Access Center Floor Plan



36'-0"

Conduit connecting
studio to master Control



Dutra Video Systems	Kittery Access Center
Drawing By Dennis Dutra	Room Locations
	2/16/16

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2
3 1. Call to Order

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5 Chairperson Beers called the meeting to order at 7:01 p.m.
6

7 2. Introductory

8
9 Chairperson Beers read the introductory.
10

11 3. Pledge of Allegiance

12
13 Chairperson Beers led those present in the Pledge of Allegiance.
14

15 4. Roll Call

16
17 Answering the roll call were Chairperson Gary Beers, Vice Chairperson Charles Denault,
18 Councilors Frank Dennett, Russell White, Jeffrey Thomson, Judith Spiller, Kenneth Lemont.
19

20 5. Agenda Amendment and Adoption

21
22 Chairperson Beers proposed item 9 to read as "The Kittery Town Council moves to receive a
23 brief introductory presentation on the 2015-2025 Comprehensive Plan Project". Councilor Spiller
24 proposed to change item 13f and 13g under New Business to 13a and 13b, respectively. Agenda
25 was adopted as amended.
26

27 6. Town Manager's Report

28
29 Town Manager Puff reviewed her written report.
30

31 The Capital Improvement Committee has completed their work and seeks to conduct a
32 workshop with the Town Council on Monday, February at 6:30.
33

34 The Police, Fire, and Dispatch departments have been working intensively for the renovations
35 of their new communications equipment which was featured on WMTW.
36

37 Town Manager Puff informed the council of an unofficial notice from The Land and Water
38 Conservation Fund received indicating the \$187,000 grant request for improvements to Emery
39 Field is progressing forward to award. The Kittery Athletic Improvement Committee is currently
40 developing the master plan and Norm Albert, DPW Commissioner will be leading the project.
41

42 The Comprehensive Plan Public Forum will be held on Saturday, March 12, 2016 from 10:00
43 AM – 12:30 PM at the Kittery Community Center Star Theatre.
44

45 Town Manager Puff reviewed items not found on her written report that have elapsed since
46 February 8, 2016.
47

48 The Town is working with an attorney on the Dineen v. Town of Kittery case to receive a date

before the court regarding the original dangerous building order and allegations of being contempt of court for violating several provisions of the judge.

Town Manager Puff contacted the Kittery Water Department to receive a copy of their policy to remove obstructing water pipes no longer in use. A letter from Mike Rogers, superintendent of the Kittery Water District, is forthcoming.

The Kittery Community Center east wing experienced a pipe burst on Monday, February 15, 2017 unrelated to past pipe incidents. Fortunately, the problem was immediately addressed within minutes by employees and the Kittery Fire Department resulting in a minimal level of damage.

The Kittery Rotary After Hours Club reached out to Town Manager Puff expressing their interest in sponsoring the Citizen of the Year Award.

The Town is requesting proposals for a project manager to oversee the renovation of the Kittery Community Center's east wing. Proposal submissions are due to Town Manager Puff by March 2 at 2:00 PM.

The Town is working on releasing a Request for Proposal (RFP) for audit services soon. A presentation of the FY15 Annual Town Audit is scheduled for March 14, 2016.

The NH Sound published a great article on February 17, 2016 written by Ellen Foord commending the Kittery Community Center's Eyes of the World Discovery Center program.

Chairperson Beers added to Town Manager Puff's report of the Dineen v. Town of Kittery Case. He noted that a civil suit to Maine Superior Court has not been heard of in a year and a quick resolution to that situation does not seem highly probable.

7. Acceptance of Previous Minutes – 1/25/16 Special Meeting

The minutes of 1/25/16 were approved.

8. Interviews for the Board of Appeals and Planning – None.

9. The Kittery Town Council moves to receive a brief introductory presentation on the 2015-2025 Comprehensive Plan Project.

Daphne Politis, Principal Consultant of Community Circle
Ms. Politis' administered her presentation.

Ms. Politis stated this beneficial project provides an opportunity for the community to collectively identify the future of Kittery. This entails identifying what the community wants to preserve, improve and change. The public forum will not be the only opportunity for the community to join together in formulating these goals. Currently, Ms. Politis' staff is working with the Town of Kittery residents and officials to articulate their goals, assess the current situation, and begin framing a forward action plan.

10. PUBLIC HEARINGS - None

11. DISCUSSION

a. Discussion by members of the public (three minutes per person).

b. There were none.

c. Seeing none; Chairperson Beers closed the public discussion.

12. UNFINISHED BUSINESS – None.

13. NEW BUSINESS

a. (020116-6) The Kittery Town Council moves to accept the resignation of Town Manager, Nancy Colbert Puff effective March 17, 2016.

A MOTION WAS MADE WITH REGRET BY COUNCILOR DENNETT TO ACCEPT THE RESIGNATION OF TOWN MANAGER, NANCY COLBERT PUFF, SECONDED BY VICE CHAIRPERSON DENAULT. A ROLL CALL WAS TAKEN WITH COUNCILOR THOMSON OPPOSED. MOTION CARRIED 6/1/0.

b. (020116-7) The Kittery Town Council moves to discuss the replacement and search process for a Town Manager and an Interim Town Manager.

Councilor White asked if Town Manager Puff has any recommendations for the replacement and search process. Town Manager Puff highly recommended the firm used previously for her appointment and stated said company has already expressed an interest in assisting with her replacement. She felt it is ideal to acquire an interim manager with immediate action and offered to contact MRI and Eaton Peabody Consulting Group.

Councilor Spiller suggested to request an interim manager to serve for one year to incite stability then begin the search process at Month 9 of the interim manager's term. Vice Chairperson Denault feels MRI or MMA likely has candidates in place for a Town Manager so the need for an Interim Town Manager is unnecessary

Councilor White stated that filling the position is a time sensitive issue due to the number of projects that are forthcoming and the decision can be made at a later date.

Councilor Thomson agreed with Councilor Spiller pointing out three major concerns that require heavy management involvement; the FY17 budget review, the approved bond issue votes bidding and financing preparation, and the Comprehensive Plan facilitation. Thus, we should assume an Interim Town Manager only to find a Town Manager no later than July 1st. Councilor Thomson expressed various concerns that he feels need to be addressed before moving forward with searching for a replacement Town Manager.

Chairperson Beers noted the February 22, 2016 agenda will address the initiative process for examination that speaks to Councilor Thomson's concerns aforementioned. He suggested a non-competitive award under an alternative procurement method through MRI for a 6-9 month Interim

Town Manager is feasible. Applications from interviews shall be conducted by a number of employees, a selected and appointed citizen group, the Town Council.

Chairperson Beers suggested the new Police Chief assignment be considered after the Town manager position is filled.

Town Manager Puff encouraged the Town Council to conclude a decision for her replacement as soon as possible. Councilor Thomson reminded that 16 days have passed and this is the first public meeting the Town Council convened to discuss this process.

Councilor Thomson questioned Chairperson Beers suggestion to postpone the Police Chief assignment since several applications have been received. Chairperson Beers clarified his previous statement was stated in anticipation that time would not permit Town Manager Puff to appoint a new Police Chief. Vice Chairperson Denault stated that the job announcement for the Town of Kittery's Chief of Police was improperly posted having a deadline of August 25, 2011.

Vice Chairperson Denault referenced the Town Charter which states procurements over \$5,000 require three competitive offers for evaluation. Chairperson Beers ordered a recess to examine Town Code Title 3 to establish a clear determination of the purchasing procedures. As a result, Chairperson Beers cited Town Code Title 3 Revenue and Finance Section 3.2.7 indicating that the Town Council is authorized to approve an alternative procurement method when it is in the best interest to do so. Further discussion occurred amongst the Council to determine the most favorable procurement approach.

A MOTION WAS MADE BY COUNCILOR WHITE TO AUTHORIZE THE TOWN MANAGER, NANCY COLBERT PUFF, TO ACQUIRE A REPLACEMENT INTERIM TOWN MANAGER THROUGH COMPETITIVE BIDDING. SECONDED BY COUNCILOR SPILLER. A ROLL CALL WAS ALL IN FAVOR. MOTION CARRIED 7/0/0.

c. Donations/gifts received for Council disposition.

The Kittery Town Council moves to accept a donation in the amount of \$300 for the Kittery Fire Department and a \$300 donation for the Kittery Police Department from the Kittery Land Trust to be deposited in account #1111-43530 Miscellaneous Revenue.

A MOTION WAS MADE BY COUNCILOR THOMSON TO ACCEPT THE DONATIONS WITH THANKS. SECONDED BY COUNCILOR SPILLER. MOTION CARRIED BY VOICE VOTE 7/0/0.

d. (020116-2) The Kittery Town Council moves to approve the disbursement warrants.

Town accounts payable of \$132,672.34. Sewer accounts payable of \$26,179.70. Sewer accounts payable of \$405,805.69. Sewer payable of 6,755.45. School payable of \$368,202.85. Total of all disbursement warrants of \$939,616.03. Councilor Dennett stated that the Town and Sewer warrants are in order. Councilor Lemont stated that the School warrants are in order.

A MOTION WAS MADE BY COUNCILOR THOMSON TO APPROVE THE

DISBURSEMENT WARRANTS, SECONDED BY COUNCILOR SPILLER. MOTION CARRIED BY VOICE VOTE 7/0/0.

e. (020116-3) The Kittery Town Council moves to authorize the Kittery Harbourside Garden Club to place 18"x24" signs on stakes along Route 1, Route 103, the Bypass, and Route 236, etc. 7-10 days before their May 28, 2016 plant sale event.

A MOTION WAS MADE BY COUNCILOR THOMSON TO INCLUDE THE REMOVAL OF SIGNS WITHIN 72 HOURS AFTER THE EVENT, SECONDED BY CHAIRPERSON BEERS, AS AMENDED. A ROLL CALL WAS ALL IN FAVOR. MOTION CARRIED 7/0/0.

f. (020116-4) The Kittery Town Council moves to establish a Council-Port Authority, Port-Town Issues Working Group and to appoint 2 Councilors.

A MOTION WAS MADE BY VICE CHAIRPERSON DENAULT TO APPOINT VICE CHAIRPERSON DENAULT AND COUNCILOR LEMONT TO THE COUNCIL-PORT AUTHORITY WORKING GROUP. THERE WAS NO SECOND, MOTION FAILED. CHAIRPERSON BEERS CALLED FOR A NEW MOTION.

A MOTION WAS MADE BY COUNCILOR THOMSON TO ESTABLISH THE COUNCIL-PORT AUTHORITY WORKING GROUP WITHIN THE PARAMETERS PRESENTED, SECONDED BY COUNCILOR WHITE. A ROLL CALL WAS ALL IN FAVOR. MOTION CARRIED 7/0/0.

A MOTION WAS MADE BY COUNCILOR THOMSON TO APPOINT COUNCILOR SPILLER AND COUNCILOR THOMSON TO THE COUNCIL-PORT AUTHORITY WORKING GROUP, SECONDED BY COUNCILOR SPILLER.

Councilor Dennett asked if either Councilor Thomson or Councilor Spiller own a watercraft. Councilor Spiller advised in the affirmative and Councilor Thomson in the negative.

A ROLL CALL WAS TAKEN WITH COUNCILOR DENNETT, VICE CHAIRPERSON DENAULT, AND COUNCILOR LEMONT OPPOSED. MOTION CARRIED 4/3/0.

g. (020116-5) The Kittery Town Council moves to schedule a public hearing on a proposed amendment to Title 13 of the Kittery Town Code.

A MOTION WAS MADE BY COUNCILOR DENNETT TO MOVE AGENDA ITEM TO MARCH 14, 2016, SECONDED BY CHAIRPERSON BEERS. A ROLL CALL WAS ALL IN FAVOR. MOTION CARRIED 7/0/0.

14. COUNCILOR ISSUES OR COMMENTS

Councilor Lemont inquired with the Town Manager Puff the progress of adjusting the speed limit on Whipple Road. Town Manager Puff responded that the Police Chief contacted the State and she will let him know that Councilor Lemont is pursuing the action.

Councilor Lemont stated the Kittery Rotary After Hours Club is interested in sponsoring the Citizen of the Year Award.

Vice Chairperson Denault thanked Town Manager Puff for her efforts in working with him on initiating and broadcasting Channel 22 which recently televised the basketball games and the Shapleigh Memorial School Christmas Concert. Town Manager Puff thanked also Randy Buccini for being an instrumental player in making Channel 22 what it is today.

Councilor Thomson requested reasoning behind the recent Planning Board application withdrawal. Town Clerk Place recalled that the applicant did not provide justification for the withdrawal.

Chairperson Beers was pleased to announce the York County Special Olympics Pancake Breakfast will be held at the Kittery Lions Clubhouse, 117 State Road, Kittery, ME on Saturday, February 20, 2016 from 7:30 AM to 11:00 AM. Pancake, sausage, scrambled eggs, toast, baked beans, milk, and orange juice will be served. Adults cost \$7, children \$3 and all proceeds are donated to the York County Special Olympics.

15. COMMITTEE AND OTHER REPORTS

The York River Wild and Scenic River Study Committee will be meeting at the Grand House, York, ME on February 23, 2016 at 5:30 PM.

Councilor Thomson highly encouraged all to attend the Patrick Dorow Productions: Smokey Joe's Café at the STAR Theater, Kittery Community Center, 120 Rogers Road, Kittery, ME.

16. EXECUTIVE SESSION – None.

17. ADJOURNMENT

IT WAS MOVED BY VICE CHAIRPERSON DENAULT, SECONDED BY COUNCILOR THOMSON TO ADJOURN THE MEETING AT 8:09P.M. ALL WERE IN FAVOR BY A VOICE VOTE. MOTION PASSED 7/0/0

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3 1. Call to Order

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5 Chairperson Beers called the meeting to order at 7:02 p.m.
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7 2. Introductory

8
9 Chairperson Beers read the introductory.
10

11 3. Pledge of Allegiance

12
13 Chairperson Beers led those present in the Pledge of Allegiance.
14

15 4. Roll Call

16
17 Answering the roll call were Chairperson Gary Beers, Vice Chairperson Charles Denault,
18 Councilors Frank Dennett, Russell White, Jeffrey Thomson, Judith Spiller, Kenneth Lemont.
19

20 5. Agenda Amendment and Adoption

21
22 Chairperson Beers proposed that two agenda items be added under New Business as follows:
23

24 Item 13i. The Kittery Town Council moves to authorize the Kittery Little League to hang a
25 banner across Rogers Road in front of the Kittery Community Center from March 1-15, 2016, to
26 announce their registration is open.
27

28 Item 13j. The Kittery Town Council moves to authorize the release of funds in the amount of
29 \$1,000 from unassigned surplus and to appropriate said funds to be paid out of account #101740-
30 68427 Expense Self-Insurance Claims, to pay the deductible associated with damage to the
31 dispatch towers occurring during a storm on August 4, 2015.
32

33 Councilor Spiller proposed that Item 13h replace Item 13a under New Business.
34

35 Agenda was adopted as amended.
36

37 6. Town Manager's Report

38
39 Town Manager Puff reviewed her written report.
40

41 Contrary to statements from the last Regular Town Council Meeting, the Chief of Police job
42 announcement was written properly.
43

44 Town Manager Puff received three proposals for an Interim Town Manager from Eaton
45 Peabody Consulting Group, MRI, and MMA. She can schedule interviews for next Monday,
46 February 27, 2016. She recommends a process that considers qualifications as the primary
47 evaluation factor and costs as the secondary evaluation factor.

A response from the National Park Service in response to the Wood Island concession agreement indicating that the agreement would not be accepted as submitted. Justification for the denial was based on the following concerns; the agreement was too vague, agreement does not meet their criterion for public recreational use, the agreement surrenders all control and possession of property to WILSA, and the agreement term is too long.

Wood Island sent a template agreement provided by the National Park Service to the Town officials to use. The National Park Service suggested combining the repair and concession into one agreement to consolidate the objectives of the project. Town Manager Puff advised a committee be established to formulate a revised agreement.

The Maine DOT is beginning the process for the design for improvements from Walker Ave. to Whipple Road which includes road and sidewalk paving and replacing the intersection lighting. Surveys have been sent to affected property owners to gather information regarding the existing condition of the area. An initial design would follow.

The Maine DOT will be occupying the Council Chambers room on Monday, February 27, 2016 to discuss the future rehabilitation of the Piscataqua River Bridge.

Town Manager Puff reviewed an item not included in the written report.

Town Manager Puff has communicated with the State regarding the transfer of John Paul Jones Park. Governor LePage has not issued an approval for the project and did not provide an estimated approval date even though it has been approved by the legislature. Maine DOT has offered to enter into a 5-year maintenance agreement.

Vice Chairperson Denault provided a statement responding to a remark made in the previous Town Council meeting. He noted that an archived Chief of Police advertisement was referenced and there exists no errors in the current Chief of Police advertisement.

The Council further discussed the concession agreement submitted to the National Park Service and how it was handled within the Council. Chairperson Beers noted that the matter could be discussed in the next agenda.

7. Acceptance of Previous Minutes – None.

8. Interviews for the Board of Appeals and Planning – None.

9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials.

a. (020116-1) The Kittery Town Council moves to receive a presentation from Peter Sherr from Ransom Consulting, Inc. and to hold a public meeting to receive public comment for the EPA Brownfields Cleanup activities proposed for the Wood Island Life Saving Station.

Notice of this meeting was published in the Portsmouth Herald on February 16, 2016 with a

30-day public comment period ending on March 17, 2016.

Mr. Kevin Trainor, Engineer with Ransom Consulting, Inc. provided the presentation on behalf of Peter Sherr which included the following statements:

- The presentation addresses solely the cleanup plan and is separate to the restoration agreement.
- Chris Redmand, Maine Department of Environmental Protection, is the primary point of contact for this project.
- Mr. Trainor provided a brief background of the project which included the following:
 - The Wood Island Lifesaving Station is located about 1 mile off Kittery Pointe shoreline.
 - A 2010 Southern Maine Regional Planning Commission site assessment determined the area contained; asbestos in the siding paper, flooring paper, and basement, lead paint throughout building, avian waste, and two underground storage tanks.
 - The Town Of Kittery received a Brown Fields Cleanup grant through the Environmental Protection Agency in 2012-2013.
- The contract preparation process is near complete. The Analysis of Brownfields Cleanup Alternatives (ABCA) and Remedial Action Plan (RAP) are currently drafted and open for public review until March 17, 2016.
- Three alternatives proposed in the ABCA are as follows:
 1. Perform no action.
 2. Remove hazardous materials in select areas and removing underground storage tanks.
 3. Perform full cleanup which includes removing all hazardous material and underground storage tanks.
- The RAP proposes the 2nd alternative listed in the ABCA to remove lead paint and asbestos and place the remaining hazardous areas into an operations and maintenance plan that is acceptable to DEP and EPA.
- The EPA and Historic Preservation Commission concur that the project will have no adverse impact on the land and includes signification mitigations measures to avoid destruction of the building.
- Mr. Trainor encourages public comment be directed the Town of Kittery.

Chairperson Beers opened the floor for public comment; hearing none the public comment was closed.

10. PUBLIC HEARINGS

11. DISCUSSION

- a. Discussion by members of the public (three minutes per person).

Steve Workman, 10 Bridge Street

Mr. Workman described his troubling concerns for Dan Poletta, Charity Defense Council, at a Town Council meeting held over a year ago. Mr. Workman recalled Mr. Poletta was treated with hostility. He discussed the behavior of the current Council is upsetting and inappropriate and is

142 directly impacting the Town of Kittery. Mr. Workman questioned why 16 days had passed
143 before the Council addressed the search and replacement process for the Town Manager position.
144 He was glad to see it became an agenda item, but still bothered that the agenda item failed to
145 address other key issues in its wording.

146
147 b. Response to public comment directed to a particular Councilor – None.

148 c. Chairperson's response to public comments

149
150 Chairperson Beers agreed with Mr. Workman wholeheartedly and explained that the agenda
151 item was stated in a categorical manner.

152
153 12. UNFINISHED BUSINESS

154
155 13. NEW BUSINESS

156
157 a. (020116-8) The Kittery Town Council moves to discuss the Councilor role and process
158 for obtaining information.

159
160 Councilor Thomson requested if the material in the packet had been reviewed.

161
162 Chairperson Beers responded in the affirmative and cited passages from 33 extracted pages
163 of the SACO Participants' manual pertaining to the agenda item. He emphasized roles of the
164 municipality officials and standard procedures for conducting meetings. He summarized that "the
165 Council is reasonably and prudently charged to ensure the Town is administered transparently,
166 openly, and honestly". Chairperson Beers stated that Kittery's traditional practice for a Councilor
167 seeking information is consistent with SACO guidance. He felt that the extracted 33 pages shall
168 act as guidance for behavioral conduct within the Council.

169
170 Councilor Spiller expressed her motivation for formulating the agenda item which derived
171 from the Town Charter Section 211 Item 3. She proceeded to cite the passage. Her concern
172 relates to the search process of potential candidates for open job announcements.

173
174 Councilor White felt there lies lack of transparency amongst the Council and that issues shall
175 be stated in public meetings only. He noted he is currently working on a Code of Ethics
176 document and suggested to review the oath and amend Council rules to include consequences.

177
178 Councilor Thomson responded that clarification of issues is the purpose of workshops and
179 regular meetings. He suggested that the Council seek an outside consulting firm to assist in
180 evaluating the current situation and formulate solutions. He cited a passage from the Town
181 Charter regarding violations that could lead to forfeiture of office.

182
183 Councilor Lemont agreed with Councilor White and Councilor Thomson that communication
184 centered around resolving interpersonal issues convene in a casual setting.

185
186 Chairperson Beers commended the effort by Councilor White to develop a code of ethics to
187 act as a policy document for how a Councilor should act.

Councilor Spiller suggested that the Town Manager inquire with MMA about consulting services.

b. Donations/gifts received for Council disposition. – None.

c. (020116-2) The Kittery Town Council moves to approve the disbursement warrants.

Town accounts payable of \$84,439.39 and \$13,087.39. Sewer accounts payable of \$11,984.05. School accounts payable of \$91,901.60. Total of all disbursement warrants of \$201,412.43. Councilor Dennett stated that the Town and Sewer warrants are in order. Councilor Lemont stated that the School warrants are in order.

A MOTION WAS MADE BY COUNCILOR THOMSON TO APPROVE THE DISBURSEMENT WARRANTS, SECONDED BY COUNCILOR SPILLER. MOTION CARRIED BY VOICE VOTE 7/0/0.

d. (020116-3) The Kittery Town Council moves to approve the 2017-2021 Capital Improvement Program in accordance with Town Charter Section 6.05 and Council Policy, as presented.

The item requires further attention and will be rescheduled for a special meeting on Monday, February 29, 2016 at 6:00 PM. Councilor Thomson proposed the meeting be held at 5:00 PM with Chairperson Beers response to take it into consideration with Town Manager Puff.

e. (020116-4) The Kittery Town Council moves to approve the fiscal year 2017 Capital Improvement Program budget in accordance with Town Charter Section 6.04 (2) and Council Policy, in the amount of \$1,208,975.

The item requires further attention and will be rescheduled for a special meeting on Monday, February 29, 2016 at 6:00 PM. Councilor Thomson proposed the meeting be held at 5:00 PM with Chairperson Beers response to take it into consideration with Town Manager Puff.

f. (020116-5) The Kittery Town Council moves to schedule a public hearing for March 14th for a 3 year extension of MRI's assessing services contract through fiscal year 2019.

A MOTION WAS MADE BY COUNCILOR THOMSON TO SCHEDULE A PUBLIC HEARING FOR MRI SERVICES, SECONDED BY COUNCILOR WHITE. ROLL CALL WAS ALL IN FAVOR. MOTION CARRIED 7/0/0.

g. (020116-6) The Kittery Town Council moves to authorize Tributary Brewing Co., LLC, 5 Winding Brooke Lane, South Berwick, ME, a one day extension for Tributary Brewing Company, 10 Shapleigh Road, Suite A, to hold a one day event on April 2, 2016 from noon to 8:00 p.m. to serve beer under an enclosed tent in front of the establishment.

A MOTION WAS MADE BY COUNCILOR SPILLER TO AUTHORIZE TRIBUTARY BREWING COMPANY HOLD ONE-DAY EVENT, SECONDED BY COUNCILOR THOMSON.

Chairperson Beers cited a letter received from Driscoll Reality, Inc. regarding the outstanding performance of Tributary Brewing Co.

ROLL CALL WAS ALL IN FAVOR. MOTION CARRIED 7/0/0.

h. (020116-7) The Kittery Town Council moves to approve a renewal application from Loco Coco's Tacos Corp., 36 Walker Street, Kittery, ME for a Spirituous and Vinous Liquor License for Loco Coco's Tacos, 36 Walker Street.

A MOTION WAS MADE BY COUNCILOR WHITE TO APPROVE THE RENEWAL APPLICATION FROM LOCO COCO'S TACOS CORP., SECONDED BY COUNCILOR THOMSON. ROLL CALL WAS ALL IN FAVOR. MOTION CARRIED 7/0/0.

i. The Kittery Town Council moves to authorize the Kittery Little League to hang a banner across Rogers Road in front of the Kittery Community Center from March 1-15, 2016, to announce their registration is open.

A MOTION WAS MADE BY COUNCILOR SPILLER TO AUTHORIZE THE KITTEY LITTLE LEAGUE TO HANG BANNER AT KITTEY COMMUNITY CENTER, SECONDED BY COUNCILOR THOMSON. ROLL CALL WAS ALL IN FAVOR. MOTION CARRIED 7/0/0.

j. The Kittery Town Council moves to authorize the release of funds in the amount of \$1,000 from unassigned surplus and to appropriate said funds to be paid out of account #101740-68427 Expense Self-Insurance Claims, to pay the deductible associated with damage to the dispatch towers occurring during a storm on August 4, 2015.

A MOTION WAS MADE BY COUNCILOR WHITE TO AUTHORIZE THE RELEASE OF FUNDS FOR DISPATCH TOWERS DAMAGES, SECONDED BY COUNCILOR THOMSON. ROLL CALL WAS ALL IN FAVOR. MOTION CARRIED 7/0/0.

14. COUNCILOR ISSUES OR COMMENTS

Councilor Thomson stated the Neighborhood Network Program offered through York Housing and York Hospital which is open to Kittery residents that offers numerous services and resources within the community. Town Manager Puff added that she intended to post this on the bulletin board and Town website.

A lecture series named Justice for People of the First Light: Colonial Treaties to the UN Declaration discussing the early treaties in the Portsmouth area will be held on Wednesday, March 9, 2016 at 7:00 PM in the STAR Theater, Kittery Community Center, 120 Rogers Road, Kittery, ME.

Councilor Thomson noted that the Council should consider working with Rice Public Library Board regarding the ownership of property of the proposed new library.

The York River Wild and Scenic River Study Committee will be meeting at the Grant

House, York, ME on February 23, 2016 at 5:30 PM.

Vice Chairperson Denault responded to the issues regarding the interim Town Manager search and replacement process. He thanked Councilor Thomson for his advice in that process.

Vice Chairperson Denault announced the names of those who passed.

Jeanie Hill

Robert "Bob" Anthony Pomella

Ruth Hession Murphy

Charles E. Reardon, Jr.

Gerald "Jerry" John Ilaria

Joseph Moulton

Ralph "Skip" St. Hilaire, Jr.

Chairperson Beers acclaimed Councilor Spiller's initiatives to address the role of the Councilors into the agenda.

15. COMMITTEE AND OTHER REPORTS

The Comprehensive Planning committee held their 3rd meeting recently and did final planning efforts for the public forum on Saturday, March 12, 2016 from 10:00 AM to 12:30 PM at the Kittery Community Center, 120 Rogers Road, Kittery, ME.

16. EXECUTIVE SESSION

17. ADJOURNMENT

IT WAS MOVED BY COUNCILOR THOMSON, SECONDED BY VICE CHAIRPERSON DENAULT TO ADJOURN THE MEETING AT 8:13 P.M. ALL WERE IN FAVOR BY A VOICE VOTE. MOTION PASSED 7/0/0.

UNAPPROVED MINUTES

February 29, 2016

Kittery Town Council
Special Meeting
Requested by Gary Beers, Chair

Council Chambers

1. CALL TO ORDER: Chairperson Beers called the meeting to order at 4:45 p.m.
2. INTRODUCTORY: Chairperson Beers read the introductory.
3. PLEDGE OF ALLEGIANCE: Chairperson Beers led those present in the Pledge of Allegiance.
4. ROLL CALL: Answering the roll were Councilors Frank Dennett, Russell White , Jeffrey Thomson, Judy Spiller, Kenneth Lemont, Vice Chair Charles Denault and Chairperson Beers
5. DISCUSSION

- a. Discussion by members of the public (only on item 6 below and three minutes per person)

HOLLY ZURER STATED SHE DISAGREED WITH HAVING CHIEF O'BRIEN AS INTERIM TOWN MANAGER AND FELT WE NEED SOMEONE WITH EXPERIENCE.

ANN GRINNELL ASKED HOW THE PROCESS WILL GO WHEN VOTING FOR THE INTERIM MANAGER. SHE FELT THE INTERIM MANAGER SHOULD BE HER FOR A SIGNIFICANT AMOUNT OF TIME SO THE COUNCIL CAN GET THEIR ACT TOGETHER AND SHE WANTS A FAIR PROCESS.

GEORGE DOW ASKED WHEN COUNCIL IS INTERVIEWING TO STRONGLY CONSIDER THE TERM FOR AT LEAST A YEAR. LOOK AT THE INDIVIDUALS SKILL SET AND QUALIFICATIONS AND THE PRICE LAST. HE STATED WE ARE LOSING A FANTASTIC INDIVIDUAL AND SHE WAS HIRED UNDER A GREAT PROCESS AND KITTERY IS WORTH MORE THAN A PRICE TAG.

- b. Chairperson's response to public comments

6. NEW BUSINESS

- a. (020316-1) The Kittery Town Council moves to approve the 2017-2021 Capital Improvement Program in accordance with Town Charter Section 6.05 and Council Policy, as presented.

A MOTION WAS MADE BY COUNCILOR SPILLER AND SECONDED BY COUNCILOR THOMSON TO APPROVE THE 2017-2021 CAPITAL IMPROVEMENT PROGRAM IN ACCORDANCE WITH TOWN CHARTER SECTION 6.05 AND COUNCIL POLICY AS PRESENTED. ROLL CALL VOTE WAS TAKEN AND MOTION PASSED, 7-0.

- b. (020316-2) The Kittery Town Council moves to approve the fiscal year 2017 Capital Improvement Program budget in accordance with Town Charter Section 6.04 (2) and Council Policy, in the amount of \$1,208,975.

UNAPPROVED MINUTES

A MOTION WAS MADE BY COUNCILOR THOMSON AND SECONDED BY COUNCILOR LEMONT TO APPROVE THE FISCAL YEAR 2017 CAPITAL IMPROVEMENT PROGRAM BUDGET IN ACCORDANCE WITH TOWN CHARTER SECTION 6.04 (2) AND COUNCIL POLICY IN THE AMOUNT OF \$1,208,975. ROLL CALL VOTE WAS TAKEN AND MOTION PASSED, 7-0.

CHAIRPERSON BEERS RECESSED THE MEETING IN ORDER TO MOVE TO CONFERENCE ROOM A TO CONTINUE WITH THE MEETING BEGINNING WITH ITEM C. ON THE AGENDA.

c. (020316-3) The Kittery Town Council moves to interview the following candidates for Interim Town Manager.

- 5:00 pm Bert Kendall
- 5:20 pm Mitch Berkowitz
- 5:50 pm Carol Granfield

INTERVIEWS WERE HELD WITH BERT KENDALL AND MITCH BERKOWITZ WHO WERE PRESENT AT THE MEETING AND WITH CAROL GRANFIELD VIA SKYPE.

d. (020316-4) The Kittery Town Council moves to authorize the Town Manager to enter into an agreement for Interim Town Manager services.

A MOTION WAS MADE BY COUNCILOR THOMSON SECONDED BY COUNCILOR SPILLER TO TAKE THE NECESSARY STEPS FOR THE CHAIRPERSON AND THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH MRI FOR CAROL GRANFIELD'S SERVICES AS INTERIM TOWN MANAGER.

COUNCILOR DENAULT STATED HE FELT THAT COUNCIL SHOULD TAKE A LOOK AT APPOINTING A PERSON INTERNALLY AS INTERIM TOWN MANAGER. HE FELT WE HAD VARIOUS QUALIFIED PEOPLE WHO COULD SERVE IN THAT CAPACITY.

A MOTION WAS MADE BY COUNCILOR DENAULT SECONDED BY COUNCILOR DENNETT TO AMEND THE MOTION TO APPOINT FIRE CHIEF DAVID O'BRIEN AS INTERIM TOWN MANAGER UNTIL A FULL TIME TOWN MANAGER IS HIRED. ROLL CALL VOTE WAS TAKEN MOTION FAILED 3-4, WITH COUNCILORS THOMSON, SPILLER, BEERS AND WHITE VOTING IN OPPOSITION.

A ROLL CALL VOTE WAS TAKEN ON THE MAIN MOTION, THE MOTION PASSED 6-1 WITH COUNCILOR DENNETT VOTING IN THE OPPOSITION.

7. ADJOURNMENT:

IT WAS MOVED BY COUNCILOR THOMSON AND SECONDED BY COUNCILOR SPILLER TO ADJOURN THE MEETING AT 6:24 P.M. ALL WERE IN FAVOR BY A VOICE VOTE. MOTION PASSED 7-0.



TOWN OF KITTERY
Office of the Town Manager
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1329 Fax: 207-439-6806
ncolbertpuff@kitteryme.org

Nancy Colbert Puff
Town Manager

CONTRACT FOR INTERIM ASSESSING SERVICES

AGREEMENT entered this ____ day of March, 2016 by and between the TOWN OF KITTERY, a duly organized Maine municipal corporation with a principal address at 200 Rogers Road, Kittery, Maine (the "Town"), and Municipal Resources Inc., a NH corporation with a principal address of 120 Daniel Webster Highway, Meredith, NH 03253 ("the CONTRACTOR"):

WHEREAS, the Town seeks to engage the services of a firm to provide assessing services;

WHEREAS, the Town issued an RFP seeking proposals from qualified firms;

WHEREAS, interview were conducted with respondents to the RFP and the most responsible proposal was submitted by Municipal Resources Inc. , a firm with the ability, capacity, and will to perform these services;

NOW THEREFORE, in consideration of the mutual exchange of promises and other provisions herein, the parties hereto agree as follows:

- 1) Scope of Work. The Contractor shall provide consulting services as further described in the attached proposal entitled "Proposal –Assessing Services."
- 2) Dates of performance. The Contractor shall provide these services from July 1, 2016 to June 30, 2019 unless otherwise agreed;
- 3) Contract Sum. The Town agrees to pay the Contractor in monthly installments for the services provided in accordance with the terms and conditions herein. For fiscal 2017, the fee is \$95,000; for fiscal 2018 is \$97,850, and for fiscal 2019 it is \$100,750.
- 4) The Contract Documents: The following, together with this Agreement, form the Contract and all are as fully a part of the Contract as if attached to this Agreement or herein repeated: Attachment A: **PROPOSAL –ASSESSING SERVICES**.
- 5) Insurance: Throughout the term of this Agreement, the CONTRACTOR agrees to furnish at its sole expense and maintain insurance per the specifications and minimum limits set forth herein:

All insurance is to be provided by a company or companies licensed in the State of Maine

- a. Commercial General Liability on an occurrence (as opposed to claims-made) basis with general aggregate limit applicable per project (ISO CG2503 or equivalent)

- Each occurrence limit \$1,000,000
- General aggregate limit \$2,000,000
- Products/Comp. op. aggregate limit \$2,000,000

An additional insured provision is to apply for the TOWN, its officers, officials, agents, and employees on a primary, non-contributory basis. Coverage for contractual liability is to be included for the indemnification provisions of this Agreement.

- b. Auto Liability for owned, hired and non-owned autos with a single limit for each accident of \$1,000,000.
- c. Workers' Compensation insurance to comply with the requirements of Maine statutes, plus employers' liability for:
 - Each accident: \$500,000
 - Each employee (disease): \$500,000
 - Policy limit (disease): \$500,000
- d. Professional Liability \$1,000,000

All policies shall be so written that the Kittery Town Manager will be notified of cancellation or restrictive amendment at least ten (10) days prior to the effective date of such cancellation or amendment. A certificate of insurance from the CONTRACTOR'S insurance carrier showing at least the coverage and limits of liability specified above and the inception and expiration dates shall be filed with the Town Manager at least seven (7) calendar days before operations are begun.

- 6) Payments. Payment will be made by the Town based upon receipt of an invoice from the Contractor. The Town shall issue payment to the Contractor within thirty (30) days of receipt of the invoice or Application for Payment.
- 7) Independent Contractor. The Town and the Contractor intend that the relationship established between them pursuant to this Contract is that of client and independent contractor. No agent, employee, or servant of the Contractor is or may deemed to be an employee, agent or servant of the Town.
- 8) Maine Law. This Contract will be construed in accordance with and governed by the laws of the State of Maine.
- 9) Town's Representative. The Town's representative under this Contract is the Kittery Town Manager. All notices or communications required under this Contract shall be in writing and sent to the Town Manager at the forgoing address.
- 10) Indemnification. Notwithstanding the availability and policy limits of any insurance, the Contractor hereby agrees to defend, indemnify and hold harmless the Town, its officers, officials, and employees ("Indemnified Parties") against any claims made or legal actions brought against an Indemnified Party(ies) by any person or entity as a result of or arising

from injuries, damages, expenses and losses actually or allegedly incurred by such a person or entity ("Liabilities") arising out of or relating to the Contractor's performance or failure to perform pursuant to this Contract, except where the Liabilities are the result of an Indemnified Party's own direct and sole negligence. This obligation shall survive the termination, completion or expiration of this Contract. The Contractor shall promptly notify the Town of any claim or action brought in connection with this Contract and thereupon shall promptly take over and defend any such claim or action.

- 11) Termination. If the Contractor is adjudged a bankrupt, or if he shall make a general assignment for the benefit of his creditors, or if a receiver of his property is appointed, or if the work to be done under the Contract is abandoned, or if the Contract or any part thereof is sublet without the previous written consent of the Town, or if the Contract or any claim thereunder is assigned by the Contractor otherwise than as herein specified, or if at any time the Town is of the opinion that the work, or any part thereof, is unnecessarily or unreasonably delayed, or that the Contractor has violated any of the provisions of the Contract, the Town may notify the Contractor to discontinue all work, or any part thereof and thereupon the Contractor shall discontinue such work or such part thereof as the Town may designate, remove his equipment, tools, supplies and materials as the Town directs, and the Town may thereupon, by contract or otherwise, as it may determine, complete the work, or such part thereof, and charge the entire expense of so completing the work or any part thereof to the Contractor.
- 12) Severability of Provisions. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, shall be deemed severable, shall not be affected, and shall remain in full force and effect.
- 13) Amendments. This Contract may be amended by a written amendment duly executed by the parties hereto. No modifications, waiver or alternation of the Contract or any term herein is enforceable unless it is in writing and duly executed by both the Town and the Contractor.
- 14) Entire Agreement. This Contract constitutes the entire agreement between the parties with respect to the matters addressed herein.

IN WITNESS WHEREOF, the parties hereto intending to be legally bound have caused their duly authorized representatives to set their hands on seals on their behalf on the date and year set forth below.

TOWN OF KITTEERY
By its Town Manager

CONTRACTOR
Municipal Resources Inc.

By: _____
Name: Donald R. Jutton
Title: President

Date: _____, 2016

Date: _____, 2016

120 Daniel Webster Highway
Meredith, NH 03253



Municipal Resources
www.municipalresources.com

ATTACHMENT A

tel: 603.279.0352 • fax: 603.279.2548
toll free: 866.501.0352

February 11, 2016

Nancy Colbert Puff
Town Manager
200 Rogers Road Extension
Kittery, ME 03904

Re: Assessing Services

Dear Ms. Puff:

Pursuant to our recent conversation, Municipal Resources, Inc. (MRI) is pleased to present the following proposal to provide assessing services to the Town of Kittery.

SCOPE OF WORK

MRI will provide Annual Assessing Services and related support services in the on-going operations of the Kittery Assessing Department. We will assist the Town Manager in the fulfillment of her duties and responsibilities related to the tax assessment of real property throughout the municipality as required by Maine law, and as expected and typical of Maine assessors in Maine communities. The foregoing is not intended to include either partial or full revaluations or updates without a separate contract.

MRI staff will perform the following:

- Establish values for new real property.
- Create and provide all reports required by the Town, the State, and the County.
- Coordinate and cooperate with the tax mapping company and the Planning staff to produce updated and accurate annual tax maps.
- Coordinate with the Town Manager and Treasurer to develop the annual tax commitment.
- Cooperate with staff to process and address any abatements or supplemental taxes.
- Meet with and respond to citizen inquiries and requests for information in a timely manner.

- Provide prompt review and processing of property transfers, splits, and new construction.
- Read and correctly interpret deeds for property splits and utilization of a deed plotter to establish property division for mapping purposes.
- Annually complete a physical inspection and inventory of one quarter (1/4) of all real estate parcels. Data enter changes into the Town's CAMA system.
- Have thorough knowledge of Maine property tax programs such as: tree growth; open space; farmland exemptions; BETE; BETR; Veterans exemptions; and the ability to assist taxpayers with applications and understanding of the law.
- Review requests for abatement; assist Board of Assessment Review in abatement appeals.
- Keep current with professional training and changes in Maine State law.
- Coordinate with third party vendor who conducts the annual update of personal property.

Town staff will be responsible for getting ownership transfers, exemptions, and other data into the Town billing system. MRI staff will enter and maintain data in the Town's Computer Assisted Mass Appraisal (CAMA) System (Vision) so that all real property which has been subdivided or altered is recalculated in accordance with the parameters established in the CAMA system. MRI will maintain a regular schedule of two days per week for personnel to conduct the functions necessary to perform the responsibilities set forth herein and to be available, by appointment, to meet with taxpayers and respond to inquiries from Town staff.

It is understood that the Town will maintain support staff sufficient to answer basic questions when MRI personnel are not in the office, to call MRI when issues arise that ought not be left until the next regular time that MRI personnel will be in Town, to schedule appointments for those who wish to meet with MRI personnel and to prepare and mail notices/requests for information determined by MRI and approved by the Town Manager to be helpful in its effort to assist in the fulfillment of its duties.

With regard to field inspections, MRI will make an initial visit to each property; if someone is present at the time of the visit, an interior inspection will be attempted. However, in all cases, MRI will measure the exterior of the improvements, except where inappropriate. In those cases where the interior is not viewed on the initial visit, a list will be provided to enable the Town staff to send a letter requesting an appointment for an interior inspection. If no interior inspection is accommodated by the property owner, MRI will estimate the interior on the basis of the best information available and annotate the property card accordingly.

It is estimated that all elements of the work can be accomplished within three to four days per week on average with the time dedicated to on-site field work varying considerably from month



to month. One MRI staff person will spend part of at least 2 days per week in the Assessing Office in order to be available to Town officials, personnel and citizens. The schedule of specific days of the week and hours of the day in the office may be adjusted by mutual agreement to allow for attendance at night meetings, taxpayer meetings, other commitments, etc. Field work will be scheduled as necessary to ensure that all work is completed within the time frames necessary to comply with all elements of the annual tax commitment process.

In the event of new legislation and/or Maine Revenue Services rules and regulations that require additional services beyond those contained herein, an additional scope of work will need to be negotiated.

To the extent there is interest and opportunity, MRI will provide training, support, and mentoring to the Clerk assigned to support the Town's assessing operations. In event that Town personnel who may already be visiting properties for other purposes are willing and able, MRI will provide training and support to enable them to perform the measuring-listing/data verification work for specific properties they visit during the normal course of their work. In such instance, MRI will provide oversight and review of the work, enter data into the CAMA system, and issue a credit in the month following the work in the amount as shown in Fees and Charges, below.

FEES AND CHARGES

The annual fees indicated below will be paid in equal monthly installments by the 15th of each month, in advance. Any reimbursable charges will be invoiced in the month following the expense and will be paid within 30 days of invoice. Invoices not paid within 30 days will accrue interest at the rate of 1.5% per month.

- A. The sum of \$95,000 from 7/1/2016 to 6/30/2017;
- B. The sum of \$97,850 from 7/1/2017 to 6/30/2018;
- C. The sum of \$100,750 from 7/1/2018 to 6/30/2019;

Use of a consultant's personal vehicle for field work will be documented and billed at the IRS rate in effect at that time.

For any field inspections (measuring and listing and/or data verification) performed by Town staff, under the direction and to the standards set by MRI, we will issue a credit of \$10.00 per parcel in the month following the activity.

Preparation and presentation of the defense of values above the local level are not included in the fee schedule. After securing authorization to proceed from the Town Manager, MRI will bill



for such services at \$150 per hour, except for the defense of utility values, where the cost will be \$175 per hour.

To the extent technical assistance is required from the Town's software vendors, or others knowledgeable of the assessing/tax collection systems and practices, the Town shall be responsible to pay directly all such costs. MRI shall cooperate fully in an effort to keep any required technical support costs as low as possible.

For specific tasks not included in the Scope, a separate agreement will be negotiated.

TERM

The agreement shall remain in force and effect from July 1, 2016 through June 30, 2019 with an option to terminate the agreement with a 60-day written notice.

I look forward to discussing this proposal with you further.

Sincerely,



Donald R. Jutton
Municipal Resources, Inc.
603.279.0352



KENNETH MYRON BONNELL 5007-43600
3532 S WOODLAWN DR
GREENVILLE, MS 38703

329
61-155/622

DATE 3/1/16

Harland Clarke

PAY TO THE ORDER OF Town of Kittery Finance Office \$ 20.00
Twenty DOLLARS



Greenville, Mississippi

FOR Westgate Account 5007 Kenneth Myron Bonnell
⑆06220155918140782544⑆ 0329

KENNETH MYRON BONNELL 5007-43600
3532 S WOODLAWN DR
GREENVILLE, MS 38703

350
61-155/622

DATE 3/1/16

Harland Clarke

PAY TO THE ORDER OF Westgate Finance Office \$ 20.00
Twenty DOLLARS



Greenville, Mississippi

FOR Westgate Account 5007 Kenneth Myron Bonnell
⑆06220155918140782544⑆ 0350



Harbourside Garden Club
Kittery and Kittery Point, Maine
www.harboursidegc.org

February 22, 2016

Ms. Nancy Colbert Puff
Town Manager
Town of Kittery
200 Rogers Road
Kittery, ME 03904

Dear Ms. Colbert Puff:

The Harbourside Garden Club's Horticulture Committee is gearing up for another season of tending the town's gardens which include Howells Park, Traip Academy, the Town Hall and Naval Museum (Patsy's garden) and Inspiration Park. The gardens are enjoyed by so many and the weekly cultivation, weeding, watering and pruning are done wholly by our club volunteers. In the past, the club has funded the purchase of plants and some members of the Horticulture Committee have also purchased plants with personal funds. Thankfully, last year the club's request for \$300 to purchase plant materials for these spaces was approved by the Town Council. Thus, we are again requesting a grant of \$300 to purchase plants for the above mentioned gardens.

We would like to tip our garden hats to Department of Public Works Norman Albert and his crew for their assistance each season. They remove our garden clippings regularly, trim trees and shrubs when we request it and deliver mulch and compost from the transfer station when needed.

We usually do our planting in late May each year and it is our hope that this year we will have the funds to make our town's gardens even lovelier.

Thank you for your consideration of this request.

Very sincerely,

A handwritten signature in black ink, appearing to read 'Constance Ryan Alesse', written over a horizontal line.

Constance Ryan Alesse
board member, Harbourside Garden Club

COPY

Constance K. Samuels
LAST WILL AND TESTAMENT

I, Constance K. Samuels, of the Municipality of Kittery, County of York, State of Maine, do make, publish and declare this my LAST WILL AND TESTAMENT, and I hereby revoke all Wills and Codicils previously made by me.

FIRST: I am a widow and leave no children.

SECOND: Pursuant to 18-A M.R.S.A. sec. 2-513 (1981), I may leave a written statement or list disposing of certain items of tangible personal property not otherwise specifically disposed of by this will.

THIRD: I give the rest, residue and remainder of my property as follows:

- 1) I give the sum of One Thousand Five Hundred Dollars and No Cents (\$1,500.00) to each child of my niece Terry Colon;
- 2) I give the sum of Five Thousand Dollars and No Cents (\$5,000.00) to my niece Connie Sessa;
- 3) I give the sum of Ten Thousand Dollars and No Cents (\$10,000.00) to my niece, Terry Colon;
- 4) I give the sum of Five Thousand Dollars and No Cents (\$5,000.00) to my Nurse Practitioner, Mara Lamstein;
- 5) I give the sum of One Thousand Dollars and No Cents (\$1,000.00) to my good friend Edith Cunningham of Kittery;
- 6) I give the sum of Five Thousand Dollars and No Cents (\$5,000.00) to my good friend Eleanor Browning of Kittery;
- ✓ 7) I give the sum of Fifty Thousand Dollars and No Cents (\$50,000.00) to the Town of Kittery as trustee of the Connie Samuels Beautification Fund. This initial contribution is to constitute the principal of the fund and is to be held in trust by the Town with the interest from said trust accumulated during the municipal fiscal year to be used by the Town for such beautification project or projects as the governing body of the Town shall exclusively determine in its own discretion. Any interest from this fund unspent by the Town at the end of the municipal fiscal year shall be added to the principal of said fund and shall forever remain part to

Initials: CS

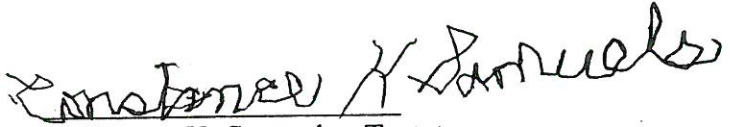
Current interest earned
July 1, 2015 - Feb 29, 2016
= \$156.76
cl

the principal of the fund; and


- 8) I give and bequeath the rest, residue and remainder of my property to a scholarship fund to be established in my name to be awarded each year to a graduating senior at Traip Academy, or any other high school for Kittery residents, currently Traip Academy. This scholarship gift can be made to Traip Academy or any appropriate trustee used by Traip Academy to hold and make the scholarship gift each year. The scholarship shall be of the interest or investment income only each year, and no principal, and shall be given to a graduating Kittery resident who is attending post-secondary education and is a hard worker, as determined by the faculty of the high school, with preference given to student of Lithuanian descent.

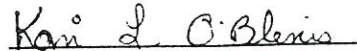
SIXTH: I appoint my Attorney, Mark W. Lawrence, to be my personal representative under this will. If my Mark W. Lawrence is unable or unwilling to serve in said capacity, I appoint Attorney Patrick S. Bedard to be my personal representative.


I, Constance K. Samuels, the Testator, on this 20th day of December, 2002, being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my last Will and that I sign it willingly (or direct another to sign for me) as my free and voluntary act and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.


Constance K. Samuels - Testator

We, Barbara J. LeBlanc and Kari L. Oblenis, the witnesses, being first duly sworn, do hereby declare to the undersigned authority that the Testator has signed and executed this instrument as the Testator's last Will and that the Testator signed it willingly (or willingly directed another to sign it for the Testator) and that each of us, in the presence and hearing of the Testator, signs this Will as witness to the Testator's signing, and that to the best of our knowledge the Testator is eighteen years of age or older, of sound mind and under no constraint or undue influence.

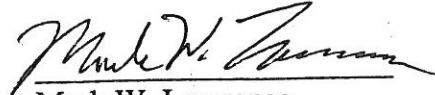

Witness -


Witness -

Initials: 

STATE OF MAINE
COUNTY OF YORK

Subscribed, sworn to and acknowledged before me by Constance K. Samuels, Testator,
and Barbara J. LeBlanc and Kari L. Oblenski, witnesses, this
20th day of December, 2002.


Mark W. Lawrence
Attorney at Law

Initials: CS

**Department of Public Safety
Division**

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.



Liquor Licensing & Inspection

BUREAU USE ONLY

License No. Assigned:

Class:

Deposit Date:

Amt. Deposited:

PRESENT LICENSE EXPIRES

4/22/10

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☐ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

☐ RESTAURANT (Class I,II,III,IV)

☐ HOTEL-OPTIONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☐ TAVERN (Class IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☒ OTHER: Performing Arts Center

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) —(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>The Dance Hall</u> DOB: <u>4/11/11</u>		2. Business Name (D/B/A) <u>The Dance Hall</u>	
DOB:			
DOB:		Location (Street Address) <u>7 Walker St</u>	
Address <u>7 Walker St.</u>	City/Town <u>Kittery</u> State <u>ME</u> Zip Code <u>03904</u>		
<u>P.O. Box 691</u>	Mailing Address <u>P.O. Box 691</u>		
City/Town <u>Kittery</u> State <u>ME</u> Zip Code <u>03904</u>	City/Town <u>Kittery</u> State <u>ME</u> Zip Code <u>03904</u>		
Telephone Number <u>207-703-2083</u> Fax Number	Business Telephone Number <u>207-703-2083</u> Fax Number		
Federal I.D. # <u>45-0964224</u>	Seller Certificate # <u>7722</u>		

3. If premises are a hotel, indicate number of rooms available for transient guests: _____

4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ 11,462

5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

complete Supplementary Questionnaire, If YES

6. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐

7. If manager is to be employed, give name: Drika Overton

8. If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

9. Business records are located at: 7 Walker St., Kittery, ME 03904

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine?

YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Hendrika C. Overton	5/14/1952	Santa Monica, CA
Edward S. Golden	1/9/1950	Grand Rapids, MI
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
Kittery, Maine		

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☒ No ☐ If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Former Orange Hall
One floor w/ Lobby, Hall, Bathrooms and 3 forms of Egress. Basement

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☒ NO ☐ Applied for: _____

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 3 Blocks Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: As a Non-Profit Organization, we receive donations
Gifts and Grants.

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Kittery, ME on 2/10, 2016
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

STATE OF MAINE
Liquor Licensing & Inspection Unit
164 State House Station
Augusta, Maine 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424

SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS

1. Exact Corporate Name: The Dance Hall
- Business D/B/A Name: _____
2. Date of Incorporation: 3/14/11
3. State in which you are incorporated: Maine
4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: _____

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
Donn Jean Abigian	Kittery, ME	8/18/51	NA	President
Christine Hounsell	Rochester, NH	7/28/62	1	Secretary
Mary Stevens	Kittery, ME	5/10/61	1	V.P.
Paul Bilodeau	Kittery Point, ME	1946	1	Treasurer
Hendrika Overton	Kittery ME	5/14/52	1	Executive Director

6. What is the amount of authorized stock? N/A Outstanding Stock? N/A
7. Is any principal officer of the corporation a law enforcement official? () YES (☒) NO
8. Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? () YES (☒) NO.
9. If yes, please complete the following: Name: _____

Date of
Conviction: _____ Offense: _____

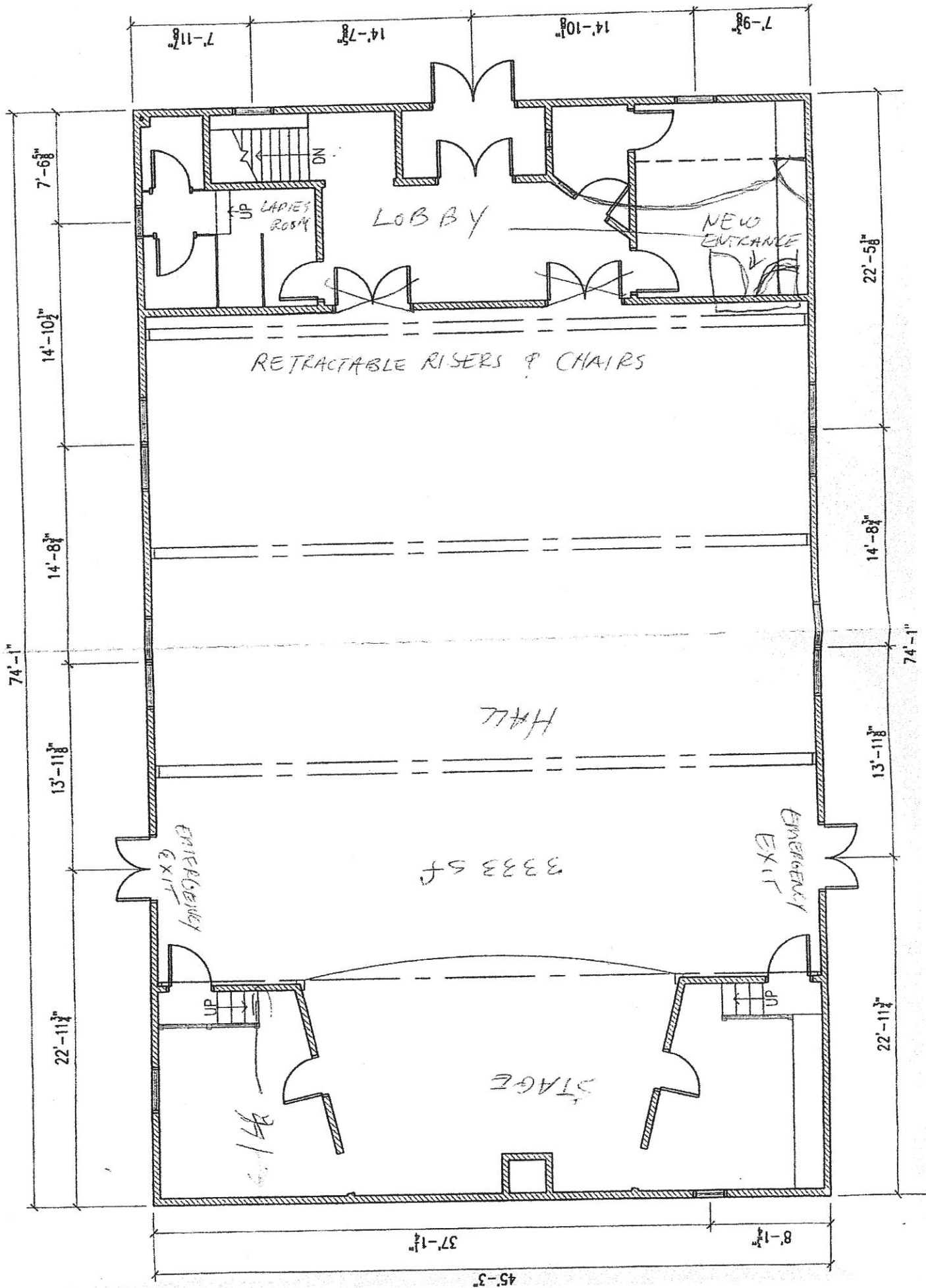
Location: _____ Disposition: _____

Dated at: _____ On: _____
City/Town Date

Signature of Duly Authorized Officer _____ Date: _____

Print Name of Duly Authorized Officer _____

Main floor K. Harry Range #7 Walker St.



Print Name

The Dance Hall

Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.**FEE SCHEDULE**

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	
FILING FEE	\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

STATE OF MAINE

Dated at: _____, Maine _____ ss

City/Town

(County)

On: _____

Date

The undersigned being: Municipal Officers County Commissioners of the

 City Town Plantation Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

rec'd 2/29/16

BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, ME 04333-0008



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER:

CLASS:

DEPOSIT DATE

AMT. DEPOSITED:

BY:

CK/MO/CASH:

PRESENT LICENSE EXPIRES

06/30/2016

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

☐ RESTAURANT (Class I,II,III,IV)

☐ HOTEL-OPTINONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☐ TAVERN (Class IV)

☒ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☐ OTHER:

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) -(Sole Proprietor, Corporation, Limited Liability Co., etc.)		2. Business Name (D/B/A)	
DOB:		Robert's Maine Grill	
Robert's Maine Grill LLC DOB:			
DOB:		Location (Street Address)	
Address 326 Route 1		326 Route 1	
City/Town Kittery State ME Zip Code 03904		City/Town Kittery State ME Zip Code 03904	
Mailing Address		Mailing Address	
PO Box 630		PO Box 630	
City/Town Kittery State ME Zip Code 03904		City/Town Kittery State ME Zip Code 03904	
Telephone Number 207.439.2733 Fax Number 207.439.2447		Business Telephone Number 207.439.0300 Fax Number 207.439.2447	
Federal I.D. # 20-3789383		Seller Certificate # 1087524	

EMAIL ADDRESS:

kerry@robertsmainegrill.com

3. If premises is a hotel, indicate number of rooms available for transient guests:

3,442, 617.40

4. State amount of gross income from period of last license: ROOMS \$

FOOD \$ 3.4m LIQUOR \$ 715,022.72

5. Is applicant a corporation, limited liability company or limited partnership?

YES ☒ NO ☐

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒
7. If manager is to be employed, give name: _____
8. If business is NEW or under new ownership, indicate starting date: _____
Requested inspection date: _____ Business hours: _____
9. Business records are located at: 326 Route 1, Kittery ME 03904
10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐
11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐
12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Michael Landgarten	09/16/58	Flushing, NY
Desiree Leavitt, nee Wyman	08/10/65	Quincy, MA
Mary Pugliese, nee Cheney	10/28/68	Richmond, VA

Residence address on all of the above for previous 5 years (Limit answer to city & state)

Michael Landgarten = Kittery Pt. ME and Eliot, ME
Desiree Leavitt = Strafford, NH
Mary Pugliese = Epping, NH and Hampton, NH

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____
15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐
16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner:
S-D Next Generation Inc. PO Box 630, Kittery ME 03904
17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Diagram included.
full service restaurant with small retail market.
18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☒ NO ☐ Applied for: _____
19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 0.8 mile Which of the above is nearest? Church at Spruce Creek
20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐
If YES, give details: mortgage from Kennebunk Savings Bank



State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

**Supplemental Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

Date Filed: _____

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:

Robert's Maine Grill LLC

2. Other business name for your entity (DBA), if any:

Robert's Maine Grill

3. Date of filing with the Secretary of State: 11/02/2005

4. State in which you are formed: Maine

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
Michael Landgarten	578 Haley Rd, Kittery Pt. ME 26 Worster Rd, Eliot ME	09/16/58	75 %
Mark Fins	47 Old Farm Rd, Newton MA	06/02/49	20 %
Tim Beal	6 Blueberry Ln, Kittery ME	06/24/75	5 %

7. Is any principal person involved with the entity a law enforcement official?

Yes

☐

No

☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐

No



10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

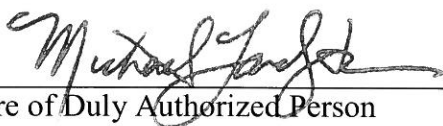
Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Duly Authorized Person

02/29/16

Date

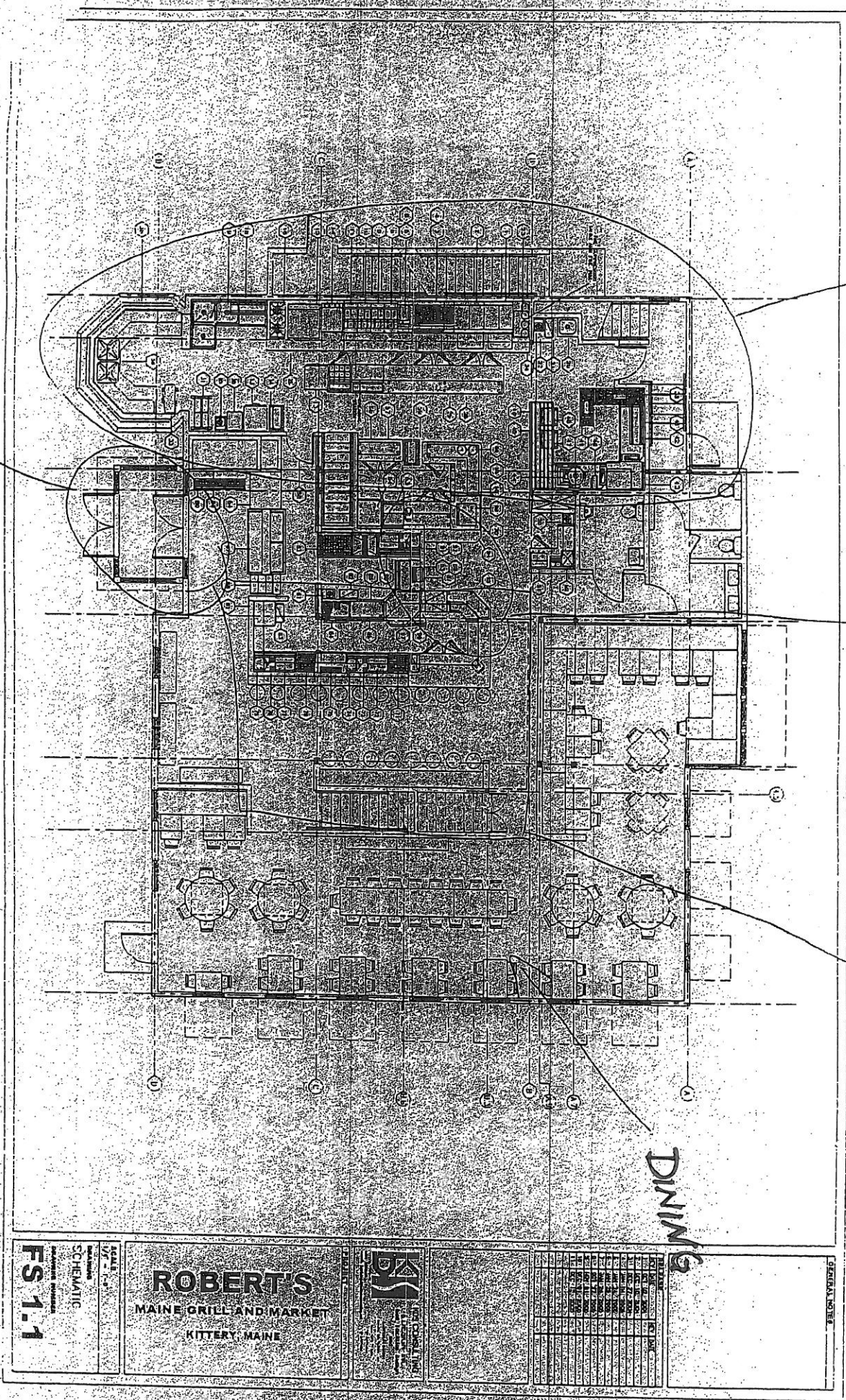
Michael Landgarten

Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To:

Bureau of Alcoholic Beverages and Lottery
Operations Division of Liquor Licensing Enforcement
8 State House Station Augusta, Me 04333-0008
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov



Entrance

Kitchen

Service Bar

BAR

DINING

1ST FLOOR

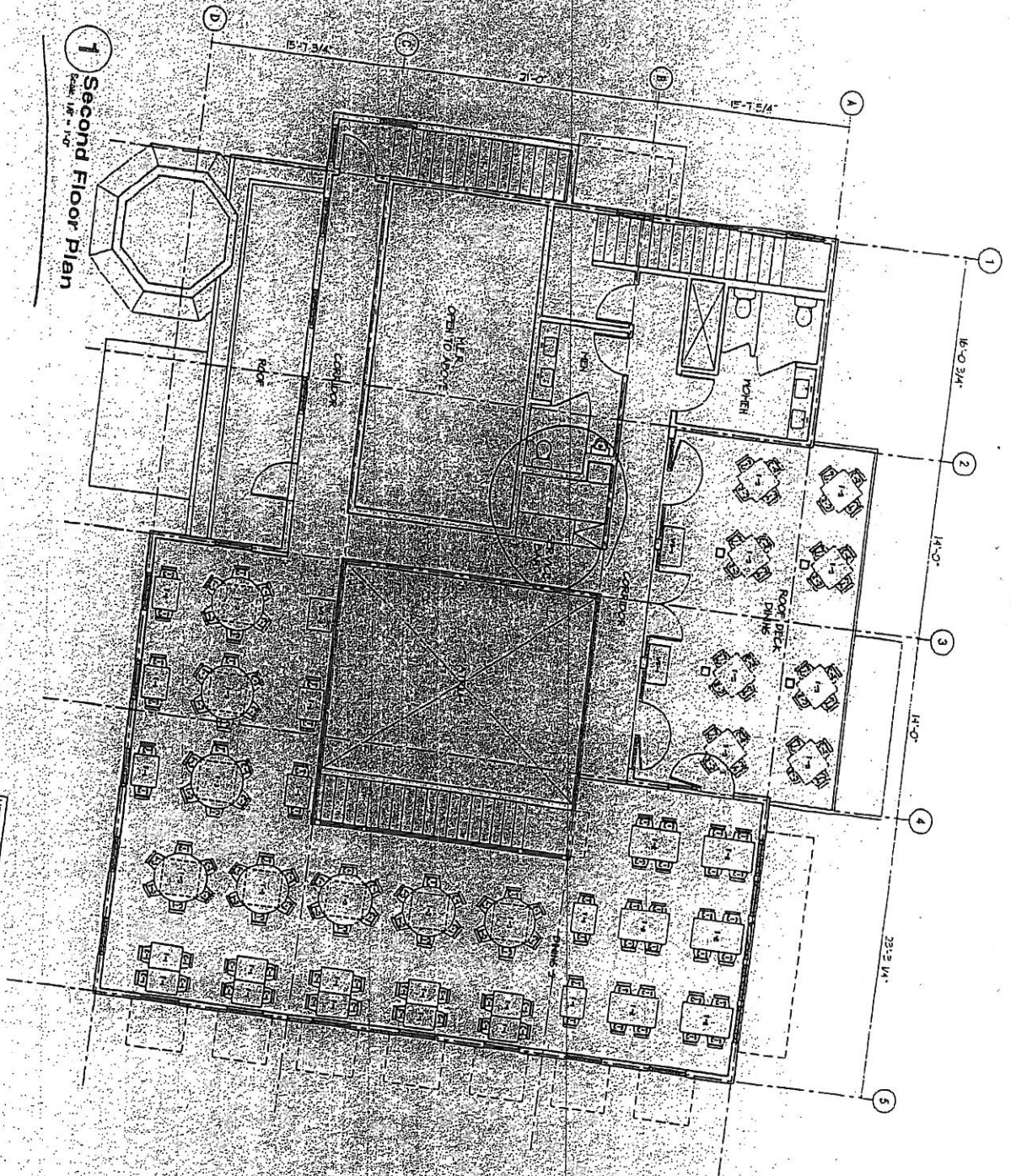
FS 1.1

ROBERT'S
MAINE GRILL AND MARKET
KITTERY, MAINE



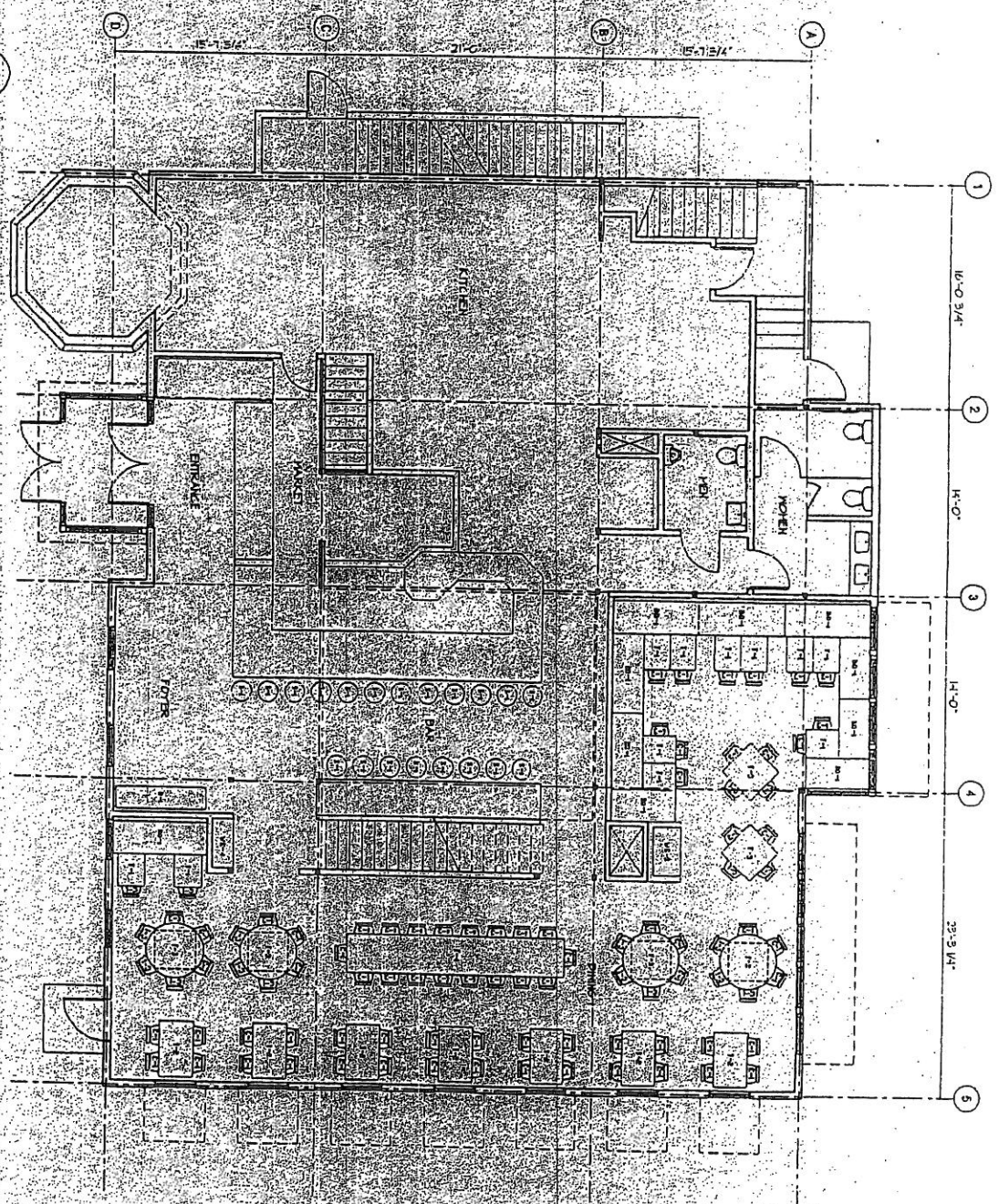
NO.	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
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1 Second Floor Plan
Scale: 1/8" = 1'-0"



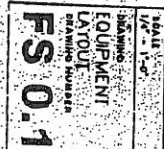
KITTELY SEAFOOD RESTAURANT	Second Floor Plan
CONCEPT PRESENTATION	August 11, 2008
	1/8" = 1'-0"
A03	

1 First Floor Plan
 Scale: 1/8" = 1'-0"



WINTER/SEAFOOD RESTAURANT	First Floor Plan	A02
CONCEPT PRESENTATION	August 11, 2005	

LIQUOR STRIKE THE CLOSURE!
BEER & WINE COOLER } Both lockable

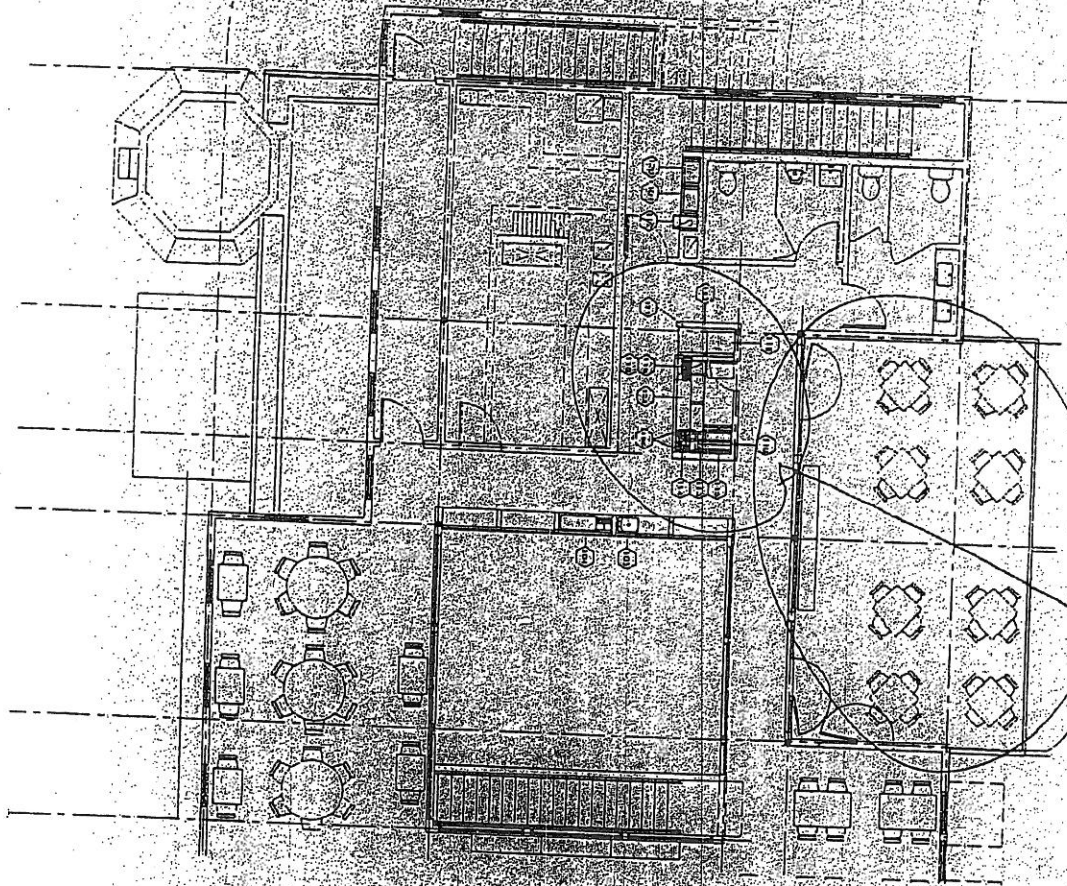


ROBERT'S
MAINE GRILL AND MARKET
KITTERY, MAINE



1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
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2nd Floor



ITEM	QTY	UNIT	DESCRIPTION
1	1	EA	STOVE
2	1	EA	REF
3	1	EA	DISHWASHER
4	1	EA	MICROWAVE
5	1	EA	GRILL
6	1	EA	SAFETY
7	1	EA	STOVE
8	1	EA	REF
9	1	EA	DISHWASHER
10	1	EA	MICROWAVE
11	1	EA	GRILL
12	1	EA	SAFETY
13	1	EA	STOVE
14	1	EA	REF
15	1	EA	DISHWASHER
16	1	EA	MICROWAVE
17	1	EA	GRILL
18	1	EA	SAFETY
19	1	EA	STOVE
20	1	EA	REF
21	1	EA	DISHWASHER
22	1	EA	MICROWAVE
23	1	EA	GRILL
24	1	EA	SAFETY
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99	1	EA	DISHWASHER
100	1	EA	MICROWAVE

SCALE
1" = 1'-0"
EQUIPMENT
LAYOUT
FS 2.1

ROBERT'S
MAINE GRILL AND MARKET
KITTERY, MAINE



ITEM	QTY	UNIT	DESCRIPTION
1	1	EA	STOVE
2	1	EA	REF
3	1	EA	DISHWASHER
4	1	EA	MICROWAVE
5	1	EA	GRILL
6	1	EA	SAFETY
7	1	EA	STOVE
8	1	EA	REF
9	1	EA	DISHWASHER
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13	1	EA	STOVE
14	1	EA	REF
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93	1	EA	DISHWASHER
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95	1	EA	GRILL
96	1	EA	SAFETY
97	1	EA	STOVE
98	1	EA	REF
99	1	EA	DISHWASHER
100	1	EA	MICROWAVE

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Kittery, Maine on February 29, 2016
Town/City, State Date

Michael Landgarten
Signature of Applicant or Corporate Officer(s)

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Michael Landgarten
Print Name

Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

FILING FEE.....\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to the **Treasurer of Maine**. This application must be completed and mailed to Bureau of Alcoholic Beverages and Lottery Operations, Division of Liquor Licensing and Enforcement, 8 State House Station, Augusta ME 04333-0008. Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

STATE OF MAINE

Dated at: _____, Maine _____ ss
City/Town (County)
On: _____
Date

The undersigned being: ف Municipal Officers ف County Commissioners of the
ف City ف Town ف Plantation ف Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Main Revised Statutes and herby approve said application.

THIS APPROVAL EXPIRERS IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existin on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licen es, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, tl applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section l causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before tl date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the da of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise l cense, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of a application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of tl application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applic tions pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed c or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewa The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renew with 120 days of the filing of the application. [1999, c589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision an provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liqu control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicini of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by perso patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses resi ing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the l censed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of se tion 601. [1989, c.592, §4 (new).]
- [1993, c730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the b reau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requiremen and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section ma appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of tl appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, ME 04333-0008



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER:

CLASS:

DEPOSIT DATE

AMT. DEPOSITED:

BY:

CK/MO/CASH:

PRESENT LICENSE EXPIRES April 2016

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

☐ RESTAURANT (Class I,II,III,IV)

☐ HOTEL-OPTINONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☐ TAVERN (Class IV)

☒ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) --(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Jacqueline Kilty</u> DOB: <u>10/29/67</u> <u>JKrestaurants LLC</u> DOB: _____		2. Business Name (D/B/A) <u>Rudders Public House</u>	
DOB: _____		Location (Street Address) <u>10 Wallingford Square</u>	
Address <u>5 Melanies Ct</u>		City/Town <u>Kittery</u> State <u>ME</u> Zip Code <u>03904</u>	
DOB: _____		Mailing Address <u>same</u>	
City/Town <u>Kittery</u> State <u>ME</u> Zip Code <u>03904</u>		City/Town _____ State _____ Zip Code _____	
Telephone Number <u>603-747-5691</u> Fax Number _____		Business Telephone Number _____ Fax Number _____	
Federal I.D. # <u>46-2212350</u>		Seller Certificate # <u>1161509</u>	

EMAIL ADDRESS: JKrestaurants1@gmail.com

3. If premises is a hotel, indicate number of rooms available for transient guests: _____

4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 404,422 LIQUOR \$ 514,916

5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒
7. If manager is to be employed, give name: _____
8. If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: 11:00 AM - 12:00 AM

9. Business records are located at: 5 Melanies Ct.

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Jacqueline Kilty	10/29/67	Rye, NY

Residence address on all of the above for previous 5 years (Limit answer to city & state)

5 Melanies Ct
Kittery, ME 03904

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☒ No ☐ If No give name and address of owner: _____

1 Room Restaurant / Lounge (diagram on file)

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☒ NO ☐ Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/2 mile Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: _____



State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

**Supplemental Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

Date Filed: _____

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:

JKrestaurants LLC

2. Other business name for your entity (DBA), if any:

Rudders Public House

3. Date of filing with the Secretary of State:

March 4 2013

4. State in which you are formed:

Maine

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
Jacqueline Kirdy	5 Melanies CT Kitteny ME 03904	10/29/67	100%

7. Is any principal person involved with the entity a law enforcement official?

Yes

☐

No

☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐

No



10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

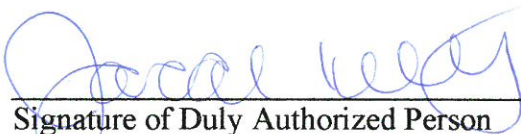
Date of Conviction: _____


Offense: _____


Location of Conviction: _____

Disposition: _____

Signature:


Signature of Duly Authorized Person


Date

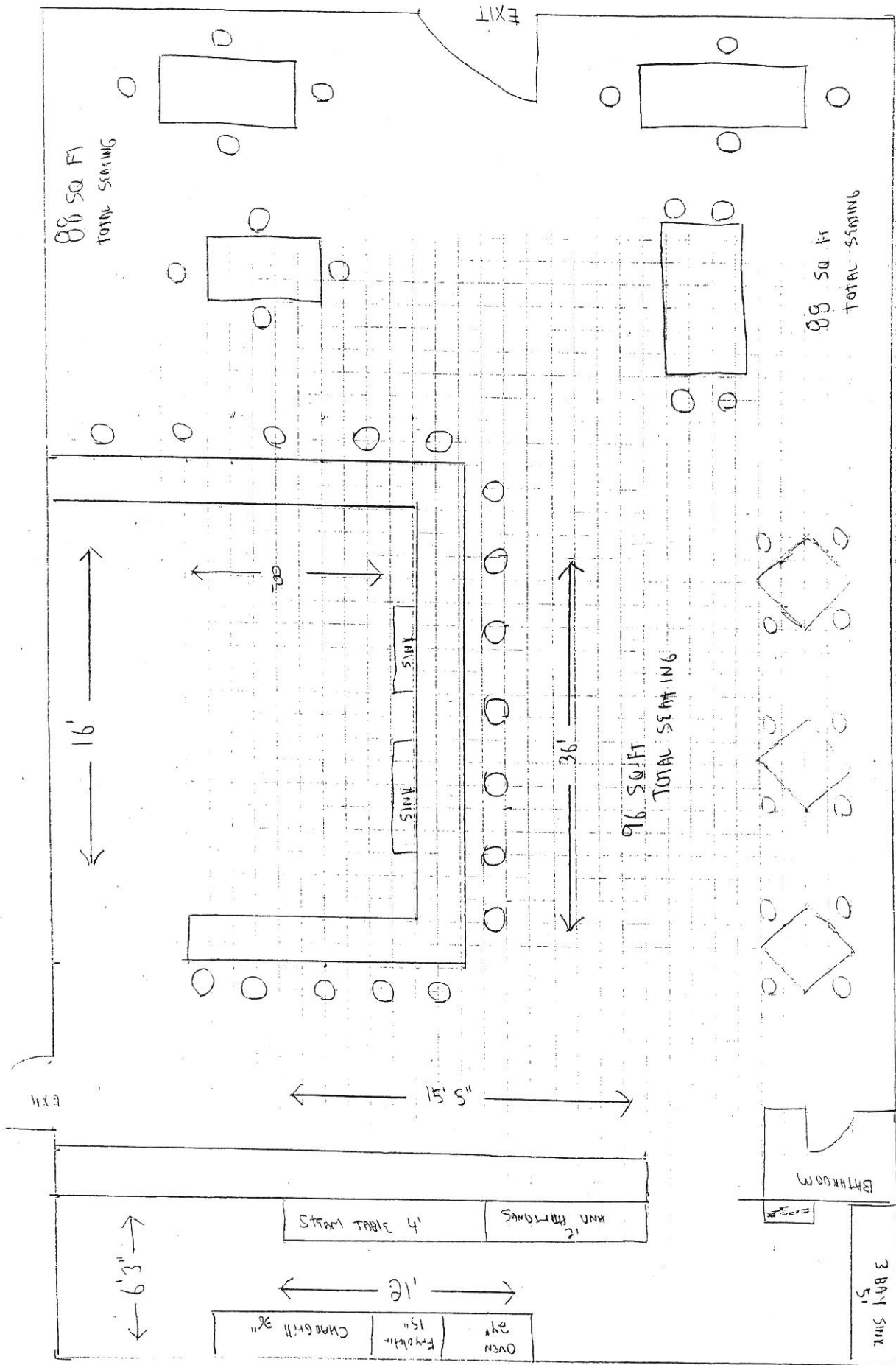

Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To:

Bureau of Alcoholic Beverages and Lottery
Operations Division of Liquor Licensing Enforcement
8 State House Station Augusta, Me 04333-0008
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

TO WALLINGFORD SQ
KITTY, ME 03904



The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Kittery on 2/11/16, 2016
Town/City, State Date

Please sign in blue ink

Jacqueline Kilty
Signature of Applicant or Corporate Officer(s)
Jacqueline Kilty
Print Name

Signature of Applicant or Corporate Officer(s)

Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

FILING FEE.....\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to the **Treasurer of Maine**. This application must be completed and mailed to Bureau of Alcoholic Beverages and Lottery Operations, Division of Liquor Licensing and Enforcement, 8 State House Station Augusta ME 04333-0008. Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

STATE OF MAINE

Dated at: _____, Maine _____ ss
City/Town (County)
On: _____
Date

The undersigned being: Municipal Officers County Commissioners of the
 City Town Plantation Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal within 120 days of the filing of the application. [1999, c.589, §1 (amd).]
2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).][1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
4. **No license to person who moved to obtain a license. (REPEALED)**
5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, ME 04333-0008**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER:

CLASS:

DEPOSIT DATE

AMT. DEPOSITED:

BY:

CK/MO/CASH:

PRESENT LICENSE EXPIRES

2/26/16

INDICATE TYPE OF PRIVILEGE:

☒ MALT

☒ SPIRITUOUS

☒ VINOUS

INDICATE TYPE OF LICENSE:

☒ RESTAURANT (Class I,II,III,IV)
(Class XI)

☐ HOTEL-OPTINONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ TERING (Class I)

☐ CLUB (Class V)

☐ GOLF CLUB (Class I,II,III,IV)

☐ TAVERN (Class IV)

☐ RESTAURANT/LOUNGE

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CA-

☐ OTHER:

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>BN Kittery LLC</u> DOB		2. Business Name (D/B/A) <u>The Farm Bar & Grille</u>	
DOI			
DOB:		Location (Street Address) <u>57 State Rd.</u>	
Address: <u>74 State Rd</u> <u>Suite 205</u>		City/Town <u>Kittery</u> State <u>ME</u> Zip Code <u>03904</u>	
<u>Kittery</u> ME		Mailing Address <u>57 State Rd</u>	
City/Town <u>Kittery</u> State <u>ME</u> Zip Code <u>03904</u>		City/Town <u>Kittery</u> State <u>ME</u> Zip Code <u>03904</u>	
Telephone Number <u>(781) 420-9454</u> Fax Number		Business Telephone Number <u>207-475-0000</u> Fax	
Federal I.D. # <u>47-2655201</u>		Seller Certificate # <u>1172335</u>	

EMAIL AD-

DRESS: FarmBarGrille@gmail.com

3. If premises is a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 850,000 LIQUOR \$ 350,000

5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

7. If manager is to be employed, give name:

Austin Contell

8. If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

9. Business records are located at:

57 State Rd. Wittery ME 03904

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☐ NO ☒

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:

Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
<u>Austin Contell - Mgr</u>	<u>4/27/82</u>	<u>Largo, FL</u>
<u>Noah Goldstein</u>	<u>6/28/81</u>	<u>Boston, MA</u>
<u>Ryan Cox</u>	<u>12/29/79</u>	<u>Boston, MA</u>
<u>Brad Atkinson</u>	<u>7/4/82</u>	<u>Boston, MA</u>

Residence address on all of the above for previous 5 years (Limit answer to city & state)

<u>Noah - Portsmouth, NH</u>	<u>Bradley - Manchester NH</u>
<u>Ryan - Essex, MA</u>	<u>Austin - Portland, ME / Exeter NH</u>

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations,

of any State of the United States? YES ☐ NO ☒

Name: _____

Date of Conviction: _____

Offense: _____

Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner:

Tim Spencer, 32 Grover Ave, Eliot ME 03903

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required)

Bar Room, Dining Room, Patio (seasonal)

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☒ NO ☐ Applied for: _____

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house,

measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel

or parish house by the ordinary course of travel? 3.3 miles Which of the above is nearest?

Church of Christ

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than your-

self in the establishment of your business? YES ☐ NO ☒

If YES, give details:

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Town Hall Kittery ME on March 2, 20 16
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Noah Goldstein

Signature of Applicant or Cor-

MAINE DEPT OF PUBLIC SAFETY

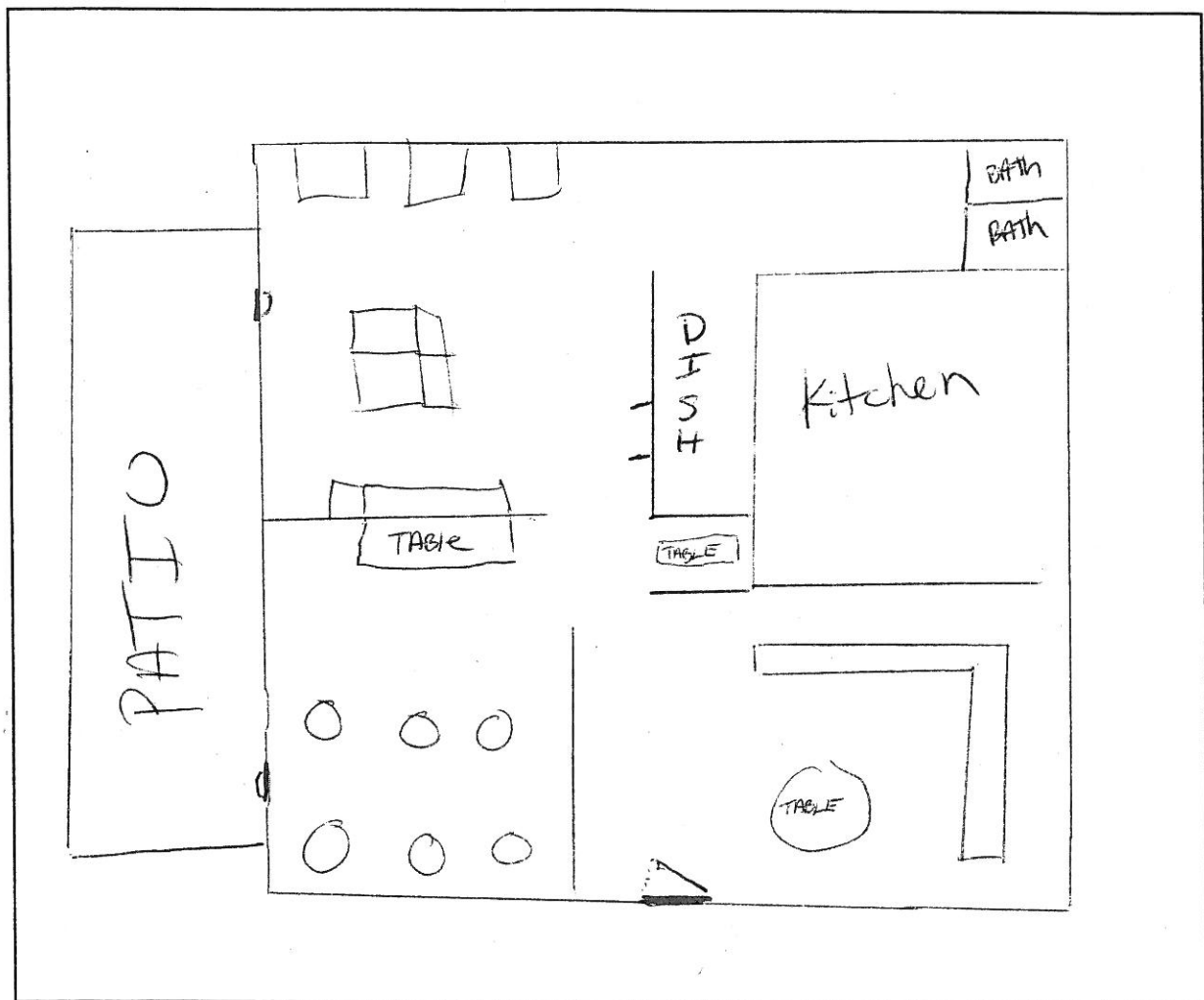
STATE OF MAINE
Liquor Licensing & Inspection Division
164 State House Station
Augusta ME 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424



SUPPLEMENTAL APPLICATION FORM ON-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Liquor Licensing & Inspection Division is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Department for liquor consumption.



Noah Goldstein

Print Name

Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.
Dining	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges;	
Caterers;	Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified	
	OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.
es; Dining	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileg-	
	Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.
es;	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileg-	
rants;	Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restau-	
	Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.
es;	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileg-	
rants;	Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restau-	
	Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.

CLASS XI: Restaurant/Lounge; and OTB.

FILING FEE\$ 10.

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to the **Treasurer of Maine**. This application must be completed and mailed to Bureau of Alcoholic Beverages and Lottery Operations, Division of Liquor Licensing and Enforcement, 8 State House Station, Augusta ME 04333-0008. Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

STATE OF MAINE

Dated at: _____, Maine _____

ss

City/Town

(County)

On: _____
Date

The undersigned being: ʘ Municipal Officers ʘ County Commissioners
of the

ʘ City ʘ Town ʘ Plantation ʘ Unincorporated Place of:
_____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by
Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]



State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

**Supplemental Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

Date Filed: _____

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:

BN Kittery LLC

2. Other business name for your entity (DBA), if any:

The Farm Bar & Grille

3. Date of filing with the Secretary of State: 12/15/2014

4. State in which you are formed: Maine

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
Noah Goldstein	Walesfield MA/Houlisett NH	6/28/81	33.33
Bradley Atkinson	Essex MA/Wethers MA	7/4/82	33.33
Ryan Cox	Essex MA	12/29/79	33.33

7. Is any principal person involved with the entity a law enforcement official?

Yes

☐

No

☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐ No ☒

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Duly Authorized Person

3/9/16

Date

Noah Goldstein

Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To: Bureau of Alcoholic Beverages and Lottery
Operations Division of Liquor Licensing Enforcement
8 State House Station Augusta, Me 04333-0008
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0008

RICHARD W. ROSEN,
ACTING COMMISSIONER

GREGORY R. MINEO
DIRECTOR

NOTICE OF LICENSURE

Name of Licensee: BNKITTERY LLC

Date of Issue: 02-27-2016

Name of Business: FARM BAR & GRILLE

Address: 57 STATE ROAD
City, State, Zip: KITTERY ME

Type of Premise: CLASS XI - RESTAURANT/LOUNGE

Type of Privilege: SPIRITS,VINOUS,MALT

Permanent License Number: 9392

This Authorization Expires: 03-26-2016

Inspector

Note: Please use this Notice of Licensure as authorization to transact business as documented in this Notice. This Notice must be destroyed upon receipt of the permanent license.



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

Telephone: (207) 475-1328 Fax: (207) 439-6806

RECEIVED
FEB 11 2016
3:15
BY: KATZ

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Nanci Lovett
RESIDENCE: 11 PEPPERELL TERRACE KITTERY PORT, ME 03905
MAILING (if different) PO BOX 377 KITTERY ME 03904

E-MAIL ADDRESS: _____ PHONE #: (Home) 207-439-1169 (Work) (C) 781-353-1578

Please check your choices:

- | | |
|--|---|
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input checked="" type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input type="checkbox"/> Comprehensive Plan Update Committee | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Recycling Scholarship Selection Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Port Authority | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Personnel Board | <input type="checkbox"/> Other _____ |

EDUCATION/TRAINING: UNH LIBERAL ARTS

RELATED EXPERIENCE (Including other Boards and Commissions) My work has allowed me to travel the world, develop & organize processes/systems as well as set up logistics globally for Fortune 500 companies & start-up businesses. We must make it a win-win yet follow government rules & practices at the same time. Strong people skills & negotiations.

PRESENT EMPLOYMENT: JSC LOGISTICS

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST: N/A

REASON FOR APPLICATION TO THIS BOARD: COMMUNITY INVOLVEMENT

I HAVE ☒ / HAVE NOT ☐ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

Please read the back of this application before signing.

Nanci Lovett
SIGNATURE OF APPLICANT

2/4/16
DATE



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

Telephone: (207) 475-1328 Fax: (207) 439-6806

BY: 10:50 AM

FEB 17 2016

RECEIVED

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Doug Greene

RESIDENCE: 19 Shinson St.

MAILING (if different) [initials]

E-MAIL ADDRESS: sdougsgreene@gmail.com PHONE #: (Home) 603-312-1707 (Work) _____

Please check your choice:

- | | |
|--|--|
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input type="checkbox"/> Comprehensive Plan Update Committee | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Education Scholarship Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Port Authority | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Personnel Board | <input checked="" type="checkbox"/> Other <u>library board</u> |

EDUCATION/TRAINING: bachelor of Arts

RELATED EXPERIENCE (Including other Boards and Commissions) _____

planning board
rotary

PRESENT EMPLOYMENT: self employed architect/designer

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST (please read back of application): none

REASON FOR APPLICATION TO THIS BOARD: interest in civic affairs - the library in particular

I HAVE ☒ / HAVE NOT ☐ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

Please read the back of this application before signing.

[Signature]
SIGNATURE OF APPLICANT

2.17.16
DATE



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1328 Fax: (207) 439-6806

Rec'd
1/21/15
4:00pm

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Brett F Costa

RESIDENCE: 19 Lynch Lane Kittery Pt

MAILING (if different) _____

E-MAIL ADDRESS: Drummler1@comcast.net PHONE #: (Home) 451-0442 (Work) 451-0442

Please check your choices and list in order of priority by marking 1,2,3, etc.:

- | | |
|---|---|
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input checked="" type="checkbox"/> Comprehensive Plan Update Committee | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Recycling Scholarship Selection Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Port Authority | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Personnel Board | <input type="checkbox"/> Other _____ |

EDUCATION/TRAINING: _____

RELATED EXPERIENCE (Including other Boards and Commissions) going on as
Board of Appeals Rep

PRESENT EMPLOYMENT: Self

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST: _____

REASON FOR APPLICATION TO THIS BOARD: Rep from ZBA

I HAVE ___/HAVE NOT ___ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

Brett F Costa
SIGNATURE OF APPLICANT

1/21/2015
DATE

Maryann Place

From: Jane John [jmcjec@earthlink.net]
Sent: Friday, February 26, 2016 12:48 PM
To: Maryann Place
Cc: George.Dow
Subject: Resignation from EDC

Maryann,

I thought this was already in your hands but in case you need it here is a confirmation of my resignation from the EDC.

I'm leaving my post because I was unable to make many of the meetings. We need someone more dependable than I for this important function.

I'm pleased that I was able to serve my community in a small way these past few years.

Sincerely,

John M Carlson

Maryann Place

From: George [jomconsult@comcast.net]
Sent: Thursday, February 25, 2016 6:26 AM
To: Patrick Trevino; Jane John
Cc: Maryann Place
Subject: Resignation email

Gents,

Hope all is well. To aid us in getting new members on EDC would you both, under separate emails, provide your resignations. Maryann needs them to get them into the Council Agenda.

Thanks again for all you do and have done for Kittery,

George

Sent from my iPhone



OFFICE OF THE TOWN CLERK
TOWN OF KITTERY, MAINE

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 439-0452 Fax: (207) 439-6806
website: www.kittery.org

RECEIVED
OCT 07 2014

BY: 1:35pm

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: PAUL E. LUCY
RESIDENCE: 2 Wheelhouse Way, Kittery Pt., ME 03905
MAILING (if different) —
E-MAIL ADDRESS: P. lucy616@gmail.com PHONE #: (Home) 207 439 1116 (Work) —

Please circle your choices and list in order of priority by marking 1,2,3, etc.:

- | | |
|--|--|
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input checked="" type="checkbox"/> Economic Development Comm. | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Recycling Scholarship Selection Comm. | <input type="checkbox"/> Community Center Bldg. Comm./Rec. Comm. |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Port Authority | <input checked="" type="checkbox"/> Planning Board |
| <input checked="" type="checkbox"/> Personnel Board | <input type="checkbox"/> Other <u>—</u> |

EDUCATION/TRAINING: See Attached

RELATED EXPERIENCE (Including other Boards and Commissions) NONE

PRESENT EMPLOYMENT: Recently Retired = See Attached

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY?: ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST: No

REASON FOR APPLICATION TO THIS BOARD: Just now have the time to devote to town affairs.

I HAVE /HAVE NOT X ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

SIGNATURE OF APPLICANT

DATE

10-7-14

Paul E. Lucy



Paul Lucy is the former owner and general manager of Southport Printing Company (formally Sir Speedy Printing), a business he established in 1993 in Portsmouth, NH. He sold the business to his manager in April, 2014.

Before becoming an independent business owner, he had a broad background in general management and senior level marketing, financial, and administrative positions.

In the 1980's and early 90's, he was a senior business executive with the New York office of Leber Katz Partners and its successor company, Foote, Cone & Belding, one of North America's largest advertising/marketing communications companies. As EVP, Chief Administrative Officer, he had executive responsibility for finance, human resources, information systems, legal affairs, and real estate. During 1991 he was CEO of Albert Frank-Guenther Law, FCB's Wall Street financial services advertising/public relations agency, preparing that entity for a profitable divestiture, which took place in early 1992.

During a ten-year period at PepsiCo, Inc., Mr. Lucy served with the PepsiCo Foods International Division, for three years as President, Frito Lay of Canada and two years as President, Frito Lay of Puerto Rico. Other PepsiCo positions included international general management and domestic senior marketing and sales management positions with the company's North American Van Lines household goods and commercial trucking divisions.

Earlier he moved through the ranks of General Foods Corporation: beginning as a Senior Brand/Financial Analyst and then Brand Manager for both new products development and established brands; and ultimately Marketing Manager for GF's fast food restaurant company.

His business career began with three years at the Boston office of Price Waterhouse & Co., where he supervised audits in a wide variety of industries and performed special assignments for the firm's management advisory services group.

He is an honors graduate of the School Management at Boston College and holds an MBA in finance from Columbia University. He served in the U.S. Marine Corps for three years as an infantry platoon leader and regimental intelligence and operations officer.

As a business owner, Mr. Lucy's community involvement included memberships in five seacoast area Chambers of Commerce. He is an active member of the Portsmouth Rotary Club with past service on both its donations and scholarship committees.

He and his wife Marion reside in Kittery Point, Maine. They are parents of three grown children all of whom are following diverse business and professional careers.



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

Telephone: (207) 475-1328 Fax: (207) 439-6806 BY: 3:30 pm

RECEIVED
AUG 17 2015

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: DAVID W ROCKLAGE

RESIDENCE: 33 OAK TERENCE

MAILING (if different) _____

E-MAIL ADDRESS: wrocklage@hotmail.com PHONE #: (Home) 207-475-4521 (Work) (Both)

Please check your choice:

- | | |
|--|---|
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input type="checkbox"/> Comprehensive Plan Update Committee | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Education Scholarship Committee | <input type="checkbox"/> Economic Development Committee |
| <input checked="" type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Port Authority | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Personnel Board | <input type="checkbox"/> Other _____ |

EDUCATION/TRAINING: BA ENGLISH/GERMAN UNH

RELATED EXPERIENCE (Including other Boards and Commissions) _____

PRESENT EMPLOYMENT: Westchester Modular Homes

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST (please read back of application): NO

REASON FOR APPLICATION TO THIS BOARD: INTERESTED IN PARTICIPATING

I HAVE ☒ / HAVE NOT ☐ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

Please read the back of this application before signing.

[Signature]
SIGNATURE OF APPLICANT

8/13/15
DATE

Form 4503

Notification: 10300085071

Work Order: 801000050827

LOCATION PERMIT

Upon the Application of Center Maine Power Company and Northern New England Telephone Operations LLC NH ,
dated 01/26/2016 , asking for permission, in accordance with law, to construct and
maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances
over, under, along or across certain highways and public roads in the location described in said application,
permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location,
said facilities and appurtenances in the City / Town of Kittery ,
approximately located as follows:

1. Starting Point: 48
2. Road (State & CMP): Brave Boat Harbor Rd/ Tenney Hill Rd
3. Direction: Northerly
4. Distance: 100' feet
5. Number of Poles: 1

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By: _____

By: _____

By: _____

By: _____

By: _____

Municipal Officers

Office of the _____

Received and Recorded in Book _____, Page _____

Attest: _____

Clerk

Form 4501

Notification: 10300085071

Work Order: 801000050827

**CENTRAL MAINE POWER COMPANY
APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION**

In the City/Town of: Kittery, Maine

To the: ☐ City
☒ Town☒ County of: York, Maine☒ Central Maine Power hereby applies for permission to:☒ Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.☐ Construct and maintain buried cables, conduits, manholes and handholes, together with wire and cables, transformers, cutouts, and other equipment therein, under, along, and across certain streets and highways in said City/Town as described below.☒ Central Maine Power Company and Northern New England Telephone Operations LLC NH jointly apply for permission to construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

1. Starting Point: 48

2. Road (State & CMP): Brave Boat Harbor Rd/ Tenney Hill Rd

3. Direction: Northerly

4. Distance: 100' feet

5. Number of Poles: 1

☒ Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.☐ Buried cable facilities shall be placed at a minimum depth of 36 inches under pavement and 30 inches elsewhere and be constructed to conform with the requirements of the National Electric Safety Code.

Any person, firm, or corporation to be adversely affected by this proposed location shall file a written objection with the State Department of Transportation, City, Town or County stating the cause of said objection within fourteen (14) days after the publication of this notice or ninety (90) days after installation of facilities without publication.

☐ Public Notice of this application has been given by publishing the text of the same☒ Not Published

In:

On:

CENTRAL MAINE POWER COMPANY

Northern New England Telephone Operations LLC NH

By: Elaine Titherington

Date: 01/26/2016

By: Jane Miller Date: 1/27/16

Page of

SKETCH TO ACCOMPANY APPLICATION FOR POLE OR UNDERGROUND LOCATIONS

Feet Behind Curb	Feet Behind Guard Rail	Feet to C/L Traveled Way	Pole / Pad #
Tennery Hill Rd Brave Boat Harbor Rd			
		8'-0"	X
		100'-0"	X
		X	

Pole / Pad #	Feet Behind Curb	Feet Behind Guard Rail	Feet to C/L Traveled Way
Existing CMP Pole H9			
New CMP Pole H6H			
Existing CMP Pole H8			

Higway Lines

2016 TENTATIVE AGENDA ITEMS

March 28, 2016

- Disbursement warrants
- Appoint Election Clerks
- Wood Island – appoint sub committee

April 11, 2016

- Disbursement warrants
- School Budget presented to Council
- Council takes preliminary vote on the School Budget and schedules May 9th for School Budget public hearing for its final approval on the School Budget
- Council votes on the Town Meeting warrant articles language for the June 14th ballot

April 25, 2016

- Disbursement warrants
- Town Manager presents Municipal Budget to Council

May 9, 2016

- Disbursement warrants
- Public Hearing – Council votes on School Budget
- Public Hearing – Council votes on School Ordinances
- Council schedules June 13th for a public hearing to vote on the FY'17 Municipal Budget

May 23, 2016

- Disbursement warrants
- Education Scholarship Awards
- Victualer's License Renewals
- Amusement Device Renewals

June 13, 2016

- Disbursement warrants
- Public Hearing – Council votes on the FY'17 Municipal Budget
- Public Hearing – Town Meeting

June 27, 2016

- Disbursement warrants



MOORS & CABOT

INVESTMENTS

Banking & Advisory Group

To: Cindy Saklad, Finance Director
Fr: Joe Cuetara
Date: March 3, 2016
Re: CIP Sources of Funds

Municipalities must maintain its infrastructure. An ancillary aspect of such maintenance is to provide for short-term but also long-term planning. Such formalized planning is an incremental but important aspect of the bond rating process as it relates to assessment of "management".

For example, a comment in our recent Portland financing showed that planning was a major determinant in upgrading the City from AA (STABLE) to AA (POSITIVE). The change in Outlook requires rating action within 18 months ... and we are looking for an upgrade to AA+!

"Previously, we had considered the city's practices "good" but revised the assessment to "strong" following clarification of the city's revenue and expenditure assumption approach and procedures The city recently created an internal long-term financial plan to assist in building the operating budget and expect to expand its level of detail by department. Further, Portland maintains a formal capital improvement plan that is reviewed and prioritized yearly and identifies funding sources." [S&P City of Portland, Maine – February 26, 2016]

Design, policy development and planning (intangibles) are as important to CIP development as the actual acquisition of assets (tangibles). Studies for planning/feasibility/implementation are typically non-recurring; as is a major capital asset. Intangibles, while unable to touch, feel or hold, versus tangible asset(s), are similarly long-term asset(s). Further, such non-recurring expenditures may be of a magnitude that, if not included as part of the CIP, would have the effect of causing dramatic fluctuations in the tax rate. Finally, the studies may span fiscal years as funds are expended.

In summary, these intangibles are not typically a part of the "normal operations" of the Town's mission ... to maintain infrastructure. Therefore, it is inconsistent that long-term development and planning be funded through general operating accounts. Rather, the expenditure of the activity through Capital Reserve funds is a more suitable allocation of funding for this purpose ... and, as Portland has seen, is a credit positive.